

The Gazette of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 30th May 1959 :—

Issue No.	No. and date	Issued by	Subject
81	S.O. 1177, dated the 25th May 1959.	Ministry of Home Affairs.	Amendment in the Notification No. S.O. 1728, dated the 22nd August 1958.
82	S.O. 1178, dated the 26th May 1959.	Ministry of Information and Broadcasting.	Approval of film to be of the description as specified therein.
83	S.O. 1254, dated the 27th May 1959.	Ministry of Commerce & Industry.	Granting recognition to the Bombay Oilseeds and Oils Exchange Limited, Bombay in respect of forward contracts in Groundnut Kernel as mentioned therein.
	S.O. 1255, dated the 27th May 1959.	Do.	Granting recognition to the Bombay Oilseeds and Oils Exchange Limited, Bombay, in respect of forward contracts in Linseed as specified therein.
	S.O. 1256, dated the 27th May 1959.	Do.	Granting recognition to the Bombay Oilseeds and Oils Exchange Limited Bombay, in respect of forward contracts in Cottonseed as specified therein.
84	S.O. 1257, dated the 29th May 1959.	Ministry of Labour and Employment.	Report of the Working Journalists Wage Committee.
85	S.O. 1258, dated the 30th May 1959.	Ministry of Commerce & Industry.	Extension of the date of validation upto 30th June 1959 of the special export licences issued under section 22 of the Tea Act, 1953.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—SECTION 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 29th May 1959

S.O. 1274.—In exercise of the powers conferred by section 357 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby directs the undermentioned person to take down the evidence of witnesses with his own hand and in the English language or in the language of the Court.

"Shri E. V. Viswanatha Iyer, Sessions Judge of the sessions division of the Amindivi Islands."

[No. 2836/59-ANL.]

A. D. SAMANT, Under Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi-2, the 18th May 1959

S.O. 1275.—In exercise of the powers conferred by the proviso to Article 309 and Clause (5) of Article 148 of the Constitution and all other powers enabling him in this behalf, the President, after consultation with the Comptroller and Auditor General of India in respect of persons employed in the Indian Audit and Accounts Department, hereby makes the following further amendments in the Civil Service Regulations, namely:—

In the said Regulations, in the notes below Article 356—

(1) in Note 1 after the word "ex-soldier" the word "ex-sailor" shall be inserted;

(2) for Note 2, the following note shall be substituted, namely:—

"Note 2.—This Article applies to commissioned officers, junior commissioned officers, warrant officers, non-commissioned officers and other enrolled personnel of the Army, and the corresponding categories of the Navy and Air Force. It also applies to personnel of the Frontier Constabulary and Militias, non-combatant departmental and regimental employees and followers of the supplemental service and warrant officers and Departments Officers of the Commissary and Assistant Surgeon Classes."; and

(3) in Note 3, for the words "Army or Royal Air Force", the words "Army, Navy or Air Force" shall be substituted.

[No. F. 8(16)-EVA/59.]

S.O. 1276.—In exercise of the powers conferred by the proviso to article 309 of the Constitution and all other powers enabling him in this behalf, the President hereby makes the following further amendments in the Civil Service Regulations, namely:—

In the said Regulations—

(1) Article 485 shall be omitted;

(2) the following shall be inserted as rule 3 below Article 486, namely:—

"The 'Emoluments' of a telegraph messenger paid on the task-work system shall be deemed to be the average amount of subsistence allowance and task-work earnings drawn monthly by him during the last twelve months of service before his discharge or retirement.";

(3) the following shall be inserted as rule 5 below Article 487, namely:—

"The 'Average Emoluments' of a telegraph messenger paid on the task-work system shall be deemed to be the average amount of subsistence allowance and the task-work earnings drawn monthly by him during the last three years of service before discharge or retirement".

[No. F. 9(10)E.V/59.]

R. S. BERY, Dy. Secy.

(Department of Expenditure)

New Delhi, the 30th May 1959

S.O. 1277.—In exercise of the powers conferred by the proviso to article 309 and clause (3) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Departments, the President hereby directs that the following further amendments shall be made in the Fundamental Rules, namely:—

In the said Rules,—

1. in rule 22,

(i) in proviso 1(iii), after the words "such post being on the same time-scale, as a permanent post", the words "other than a tenure post" shall be inserted;

(ii) in Exception below that rule,—

(a) after the words "the temporary post should be on the same time-scale as a permanent post" the words "other than a tenure post" shall be inserted;

(b) after the words "permanent posts" occurring at both the places, the words "other than tenure posts" shall be inserted;

2. in rule 22-A, in proviso 1(iii), after the words "such temporary post being on the same time-scale as permanent post" the words "other than a tenure post" shall be inserted.

[No. F.2(18)-Est.III/59.]

VIDYA PRAKASH, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 28th May 1959

S. O. 1278.—Statement of the Affairs of the Reserve Bank of India, as on the 22nd May 1959.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	18,82,63,000
Reserve Fund	80,00,00,000	Rupee Coin	3,17,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	3,17,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	54,40,10,000	(c) Government Treasury Bills	10,73,95,000
(2) Other Governments	17,79,40,000	Balances held abroad*	24,29,66,000
(b) Banks	80,39,72,000	**Loans and Advances to Governments	32,61,76,000
(c) Others	118,32,93,000	Other Loans and Advances	66,85,00,000
Bills Payable	19,65,68,000	Investments	289,16,93,000
Other Liabilities	52,14,98,000	Other Assets	13,16,54,000
TOTAL	455,72,81,000	TOTAL	455,72,81,000

*Includes Cash & Short term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 6,52,04,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 27th day of May 1959.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of May 1959.

ISSUE DEPARTMENT

Liabilities	Rs.	Ra.	Assets	Rs.	Rs.
Notes held in the Banking Department	18,82,63,000		A. Gold Coin and Bullion :—		
Notes in circulation	1752,34,55,000		(a) Held in India	117,76,03,000	
Total Notes issued		1771,17,18,000	(b) Held outside India	
			Foreign Securities	178,00,89,000	
			TOTAL OF A.		295,76,92,000
			B. Rupee Coin		129,62,77,000
			Government of India Rupee Securities		1345,77,49,000
			Internal Bills of Exchange and other commercial paper		
TOTAL —LIABILITIES		1771,17,18,000	TOTAL —ASSETS		1771,17,18,000

Dated the 27th day of May, 1959.

K.G. AMBEGAOKAR,
Deputy Governor.

[No. F. 3(2)-BC/59.]

A. BAKSI, Jt. Secy.

CENTRAL BOARD OF REVENUE**INCOME-TAX***New Delhi, the 29th May 1959*

S.O. 1279.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from the afternoon of 23rd May 1959 Shri R. Kothandaraman a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Uttar Pradesh.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Kothandaraman shall be designated as the Commissioner of Income-tax, Uttar Pradesh with headquarters at Lucknow.

Explanatory Note

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 69 (F. No. 55/27/59-IT).]

CORRIGENDUM**INCOME-TAX***New Delhi, the 26th May 1959*

S.O. 1280.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that in their notifications S.O. 926 No. 47 Income-tax dated 21st April 1959 and S.O. 1077 No. 61 Income-tax dated 8th May 1959 at pages 1036-1037 and 1152-1153 of Part II Section 3(1) of the Gazette of India dated 2nd May 1959 and 16th May 1959 respectively

for "19. Special Survey Circle IV" read "19. Special Survey Circle VI".

[No. 68 (F. No. 55/27/59-IT)]

B. V. MUNDKUR, Under Secy.

CUSTOMS*New Delhi, the 6th June 1959*

S.O. 1281.—In exercise of the powers conferred by clause (c) of section 9 read with section 158 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Board of Revenue hereby makes the following rule, namely:—

"In the case of sailing vessels clearing in Ballast for a Customs Port from New Kandla, Port Clearance will be granted in the appended form which shall be filled in in counterfoil by the Master or his Agent only after entry inwards has been obtained. The original signed by the Collector of Customs, New Kandla or any other Officer duly appointed by him in this behalf, will, after completion, be returned to the Master of the vessel."

Form of the Empty Port Clearance for Sailing Vessels

Dalal's No.

Sailing Vessels Port Clearance cleared inward general manifest No.

Name of the Vessel.

Tindals Name.

Painted No.

Burthen Tons.

Colours.

To what place

Cargo None

Crew

Passengers

One tony of the same No. as parent vessel.

I hereby declare that the foregoing information regarding cargo and destinations is truly stated.

Mark of Tindal.

New Kandla

Dated *Port Clearance Granted.

Collector of Customs.

*The following documents have been checked before grant of the empty port clearance—

1. Light certificate No.
2. Port dues receipt No.
3. Deratisation exemption certificate No.
4. India coast Light dues receipt No.
5. Life Saving Certificate No.

[No. 116/F. No. 53/1/59-Cus.IV.]

S. VENKATARAMAN, Under Secy.

**OFFICE OF THE COLLECTOR OF CENTRAL EXCISE AND LAND CUSTOMS
BOMBAY.**

NOTICE

Bombay, the 23rd March, 1959

To

- (1) Shri Krishna alias Butta Narayan Naik, Uchgaon, Goa.
- (2) Shri Yusufkhan Adamkhan, Bhom, Goa.
- (3) Shri Shaikh Gani Shaikh Mohmod, Sakhal, Goa.

(Through Dy. Supdt. C. Ex. F. S. Belgaum)

SUBJECT.—*Seizure of Kremetz Collar buttons, sevils Mischief perfumes Nicholson files etc. valued at Rs. 7308/- at Londa on 26th October 1958.*

S.O. 1282.—Whereas it appears that the above mentioned goods have been imported by land from Goa without a permit as required under Section 5(1) of the Land Customs Act, 1924, and whereas the said goods were not covered by a licence as required by the Government of India, Ministry of Commerce and

Industries Order No. 17/55 dated 7th December 1955 as amended; issued under the Imports and Exports (Control) Act, 1947 and whereas the order is deemed to have been issued under Section 19 of the Sea Customs Act, VIII of 1878 and whereas it appears that the actions of the above three persons concerned in these offences attract the operation of Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878. Now therefore the above three persons are hereby required to show cause to the undersigned why a penalty should not be imposed on them under these Sections and why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

The above three persons are further directed to produce at the time of showing cause all the evidence upon which they intend to rely in support of their defence. They are further directed to inform the undersigned whether they desire to be heard in person by the undersigned in the case.

If no cause is shown against the action proposed to be taken within thirty days of the publication of this notice, the case will be decided *ex-parte*.

[No. VIII(b)10(29)Cus/59/965455.]

H. C. BAHRI, Dy. Collector.

COLLECTORATE OF CENTRAL EXCISE, CALCUTTA

CENTRAL EXCISE

Calcutta, the 11th May 1959

S.O. 1283.—In exercise of the powers conferred on me by rule 5 of Central Excise Rules 1944, I hereby empower the Superintendents of Central Excise in the Central Excise Collectorate, Calcutta, to exercise the powers of Collector under rule 96(c) *ibid*.

[No. 8/1959.]

[No. IV(8)/4-CE/59.]

S. P. KAMPANI, Collector.

DIVISIONAL OFFICE, CENTRAL EXCISE & CUSTOMS, BOMBAY III DIVISION

NOTICES

Bombay, the 6th June 1959

S.O. 1284.—Whereas it appears that the marginally noted unclaimed goods, seized by the S.R.P. staff on 17th March 1959 at about 8-10 hrs between ch. Nos. 4 & 5 were imported by land in contravention of section 5(i) of the Land Customs Act 1924 and without a licence as required under the Govt. of India, Ministry of Commerce & Industry's Import (Control) Order 17/55, dated the 7th Dec., 1955 issued under section 3 and 4-A of the Imports & Exports (Control) Act 1947 and deemed to have been issued under section 19 of the Sea Customs Act 1878.

S. N.	Description of goods	Qty.	Value	Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of C. Ex. & Customs Bombay Dn. III as to why the above mentioned goods should not be confiscated under section 5(3) of the Land Customs Act, 1924 read with section 167(8) of the
1.	Bottles of liquid bright gold (Swan brand)	6 bottles	1200.00	
2.	Old white shirts	2	1 50	
3.	Old white Dhoti	1	00.50	
4.	Old grey pant	1	00.50	
5.	Kh di Black cap	1	00.06	
6.	Old bag used	1	00.12	
Total			1202.68	

the Sea Customs Act 1878 and under section 3(2) of the Imports & Exports (Control) Act, 1947 and why a penalty should not be imposed under section 7(i)(C) of the Land Customs, Act, 1924 read with section 167(8) of the Sea Customs Act 1878.

If such an owner fails to turn up to claim the above mentioned goods, or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Govt. of India Gazette/Bombay State Govt. Gazette, the goods in question will be treated as *unclaimed* and the case will be decided *Ex-parte*.

[No. VIII/15-108/59.]

S.O. 1285.—Whereas it appears that the marginally noted *unclaimed goods*, seized by the S.R.P. staff on 8th March 1959 on Udwada Railway station, imported by land, in contravention of section 5(1) of the Land Customs Act 1924 and without a licence as required under Govt. of India Ministry of Commerce & Industry's Import (Control) Order 17/55, dated the 7th Dec., 1955 issued under section 3 and 4-A of the Imports & Exports (Control) Act 1947, and deemed to have been issued under section 19 of the Sea Customs Act 1878.

S. No.	Description of goods	Qty.	Value	
1.	Foreign liquor bottles white horse scotch whisky "made in Scotland"	8	560.00	Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of C. Ex. & Customs Bombay Dn. III as to why the above mentioned goods should not be confiscated under section 5(3) of the Land Customs Act, 1924 read with section 167(8) of the
2.	Foreign liquor bottles Constatino fine old brandy five stars, Especial produce of Portugal	6	180.00	
3.	Old & used trunk.	1	5.00	
Total			745.00	

the Sea Customs Act 1878 issued under section 3(2) of the Imports & Exports (Control) Act, 1947 and why a penalty should not be imposed under section 7(1)(C) of the Land Customs, Act, 1924 read with section 167(8) of the Sea Customs Act 1878.

If such an owner fails to turn up to claim the above mentioned goods, or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Govt. of India Gazette/Bombay State Govt. Gazette, the goods in question will be treated as *unclaimed* and the case will be decided *Ex-parte*.

[No. VIII/10-6/59.]

R. N. SHUKLA, IRS, Asstt. Collector.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 2nd June 1959

S.O. 1286.—IDRA/29B/2/59.—In exercise of the powers conferred by sub-section (1) of section 29B of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Commerce and Industry No. SRO 2125/IDRA/29B/6/57 dated the 21st June 1957 published in Part II Section 3 of the Gazette of India dated the 29th June 1957:

In the Annexure to the said notification, after the item "5. Capsules", the following item shall be inserted, namely:—

"6. Aluminium roof water tanks".

In exercise of the powers conferred by sub-section (2) of section 29B of the said Act, the Central Government hereby specifies a period of eight months from the date of this notification as the period after the expiry of which no owner of an industrial undertaking pertaining to aluminium roof water tanks industry shall carry on the business of the undertaking except under and in accordance with a licence or permission, as the case may be, issued in this behalf by the Central Government.

[6(2)/IA/IG/59.]

K. C. MADAPPA, Dy. Secy.

TEA CONTROL

New Delhi, the 27th May 1959

S.O. 1287.—Shri A. Saha, an officiating Cost Accounts Officer in the Ministry of Finance, was appointed as Cost Accounts Officer, Tea Board, Calcutta, with effect from the forenoon of the 9th February 1959.

[1(38)Plant(A)/57.]

New Delhi, the 30th May 1959

S.O. 1288.—Shri B. R. Vohra, IAS, Deputy Chairman, Tea Board, has been granted earned leave for 34 days from the 11th May 1959 to the 13th June 1959, with permission to prefix and suffix thereto Sundays the 10th May 1959 and the 14th June 1959, respectively.

[No. 1(32)Plant(A)/59.]

R. R. RAO, Under Secy.

COFFEE CONTROL

New Delhi, the 1st June 1959

S.O. 1289.—In pursuance of sub-section 2(1) of Section 4 of the Coffee Act, 1942 (7 of 1942), the Central Government has appointed Shri Tenneti Vishwanatham, as Chairman of the Coffee Board, Bangalore for a period of three years from the date he takes charge of the post.

2. Shri Vishwanatham took charge of the post on the forenoon of 18th May, 1959.

[No. 9(20)Plant(B)/59.]

A. J. KIDWAI, Dy. Secy.

ORDERS

New Delhi, the 26th May 1959

S.O. 1290/IDRA/6/3.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Amir Chand T. Gupta, Managing Director, M/s. Devidayal Sales (Private) Ltd., Bombay, as a member of the Development Council established by the order of the Government of India in the Ministry of Commerce and Industry S.O. 954, dated the 25th April, 1959, for the scheduled industry engaged in the manufacture or production of non-ferrous metals including alloys (and semi-manufacturers thereof) and direct that the following amendment shall be made in the said order, namely:—

In paragraph 1 of the said Order, under the category of 'owners', after entry No. 11 relating to Mr. T. L. Holdsworth, the following shall be inserted, namely:—

"11A. Shri Amir Chand T. Gupta, Managing Director, M/s. Devidayal Sales (Private) Ltd., Gupta Mill Estate, Darukhana, Reay Road, Bombay-10."

[No. 4(73)IA(II)(G)/58.]

New Delhi, the 1st June 1959

S.O. 1291/IDRA/6/4/Am.(1).—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri G. C. Taxali, Secretary, The Engineering Association of Northern India, Grand Trunk Road, Batala, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.O. 1031, dated the 5th May, 1959, for the scheduled industry engaged in the manufacture of machine tools,

and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 6 relating to Shri V. Ramakrishna, the following entry shall be inserted, namely:—

“6A. Shri G. C. Taxall, Secretary, The Engineering Association of Northern India, Grand Trunk Road, Batala. owners of industrial undertakings. Member”

[No. 4(72)IA(II)(G)/58.]

A. K. CHAKRAVARTI, Under Secy.



(Indian Standards Institution)

New Delhi, the 29th May 1959

S. O. 1292—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Marks, designs of which together with the verbal description of the design and the title of the relevant Indian Standard are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 10th June 1959.

THE SCHEDULE

Serial No.	Design of the Standard Mark	No. and title of relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)
1.		IS :215-1951 Specification for Road Tar.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram and the relevant IS grade designation being subscribed under the bottom side of the monogram as indicated in the design for 'RT 2' in column (2).
2.		IS:218-1952 Specification for Creosote and Anthracene Oil for Use as Wood Preservatives.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram and the words "CREOSOTE" or "ANTHRACENE" as applicable being subscribed under the bottom side of the monogram as indicated in the design for "CREOSOTE" in column (2).

(1)

(2)

(3)

(4)

3.

IS : 284-1951 Specification
for Toilet Soap.

The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

[No. MDC/11(5)]

S. O. 1293.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for Road Tar, Creosote and Anthracene Oil and Toilet Soap, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 10th June 1959.

THE SCHEDULE

Serial No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
1.	Road Tar	IS-215-1951 Specification for Road Tar.	One ton	Rs. 2.00
2.	Creosote and Anthracene Oil	IS : 218-1952 Specification for Creosote and Anthracene Oil for Use as Wood Preservatives	One hundred gallons	Re. 1.00
3.	Toilet Soap	IS: 284-1951 Specification for Toilet Soap.	One ton	50 naye Paise per unit for the first 3000 units. 25 naye Paise per unit for the 3001st unit and above.

[No. MDC/11 (6)]

C. N. MODAWAL

Deputy Director (Marks).

MINISTRY OF STEEL MINES AND FUEL

(Department of Mines & Fuel)

New Delhi-2, the 27th May, 1959.

S. O. 1294.—Whereas by a notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.R.O. 309 dated 18th January, 1958, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the whole or any part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to acquire the lands measuring 44.72 acres described in the Schedule appended hereto.

The plans of the areas covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribag or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation (P) Ltd. (Revenue Section), "Darbhanga House", Ranchi.

Any person interested in the aforesaid land may, within 30 days of the issue of this notification, file objection to the acquisition of the whole or any part of the land or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE

Plan No. Rev./19'59

(Showing lands to be acquired).

MAHLIBANDH BLOCK

SUB BLOCK 'C'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Bandh	Gomia.	118	Hazaribagh	0.50 Acres (Approximate)	Part.
2	Mahlibandh	Gomia.	113	Hazaribagh	5.25 Acres (Approximate)	Part.
TOTAL AREA :					5.75 Acres (Approximate)	

Plot Nos. to be acquired in village Bandh: 659(Part), 660(Part), 774(Part), 775(Part), 776(Part).
 Plot Nos. to be acquired in village Mahlibandh: —210(Part), 923(Part), 924(Part), 925(Part), 926(Part), 927(Part), 928(Part), 929, 930(Part), 933(Part), 934 (Part), 935(Part), 938(Part), 939(Part), 940(Part), 941, 942, 943(Part), 944(Part), 953(Part), 954(Part).

Boundary description

AB line passes through village Bandh Plot No. 659 in village Mahliband Plot Nos. 925, 210

BC line passes through village Mahlibandh Plot Nos.: —210, 924, 923, 930, 933, 934, 944, 943, 953, 954.

CD line passes through village Mahlibandh Plot Nos.: —954, village Bandh 776, 774, 775.

DA line passes along the Northern boundary of Kathara Block 1 (M.R.)

SUB BLOCK 'D'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Mahlibandh	Gomia	113	Hazaribagh	3.70 Acres (Approximate)	Part.
2	Kathara	Gomia	117	Hazaribagh	3.05 Acres (Approximate)	Part.
TOTAL					6.75 Acres (Approximate)	

Plot Nos. to be acquired in village Mahlibandh: —1266(Part), 1268(Part), 1269(Part), 1270 (Part), 1339(Part), 1340, 1341(Part), 1350(Part).

Plot Nos. to be acquired in village Kathara: —1 (Part), 4(Part), 5(Part), 6(Part), 7(Part), 8(Part), 89(Part), 93(Part), 95(Part), 106(Part), 107, 1047 (Part).

Boundary description.

KE line passes through village Mahalibandh Plot No. 1266.

EF line passes through village Mahalibandh Plot Nos. 1266, 1269, 1270, 1339.

FG line passes through village Mahalibandh Plot Nos. 1339, 1350, 1341.

GH line passes along the Western boundary of Kathara block 1 (A.R.) Plan 'B'

HI line passes through village Kathara Plot Nos. 106, 95, 93, 89, and 7.

IJ line passes through village Kathara Plot Nos. 7, 6, 8, 5, 4 and 1047.

J.K line passes along the Eastern boundary of Kathara Block 1 (M.R.).

SUB-BLOCK 'E'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks.
1	Kathara	Gomia	117	Hazaribagh	3.82 Acres (Approximate)	Part.
TOTAL					3.82 Acres (Approximate)	

Plot Nos. to be acquired in village Kathara:—100(Part), 101, 102(Part), 103(Part), 104, 106(Part), 150(Part), 152(Part), 153(Part).

Boundary description

HK line passes along the Western boundary of Kathara Block 1 (A.R.) Plan 'B'.

KL line passes along the Western boundary of Kathara Part I Plan 'D'

LM line passes through village Kathara Plot Nos. 152 and 153.

MH line passes through village Kathara Plot Nos. 153, 100, 102, 103 and 106.

SUB-BLOCK 'F'

Sl. No.	Village.	Thana	Thana No.	District	Area	Remarks.
1	Kathara	Gomia	117	Hazaribagh	22.90 Acres (Approximate)	Part'
TOTAL					22.90 Acres (Approximate)	

Plot Nos. to be acquired in village Kathara :—138(Part) 139 to 141, 142, 147(Part) 148, 149, 150(Part), 165(Part), 458(Part), 459(Part), 460(Part), 461, 462, 463(Part), 464(Part), 466(Part), 467(Part), 486(Part), 487, 488(Part), 489(Part), 496(Part), 497(Part), 1046.

Boundary description

NO line passes along the Southern boundary of Kathara block 1(A.R.) Plan 'B'.

OP line passes through Plot No. 150 in village Kathara.

PQ line passes through Plot No. 150.

QR line passes through Plot Nos. 150, 138, 147, 497, 496, 489, 456 and 488.

RS line passes through Plot Nos. 488, 467, 466, 464, 463 and 458.

STUV line passes through Plot Nos. 458, 459, 460, 165, 150.

VN line passes along the Eastern boundary of Kathara Part 1(A.R.) Plan 'D'.

SUB-BLOCK 'G'

Plan No. Rev/13/59

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks.
1	Borea	Gomia	115	Hazaribagh	2.25 Acres. (Approximate)	Part.
TOTAL					2.25 Acres (Approximate)	

Plots to be acquired in village Borea:—61(Part), 62(Part), 65(Part), 68(Part).

Boundary description

ABC line passes through Plot Nos. of Village Borea 62, 61, 68.

CD line passes through Plot No. of village Borea 65.

DEF line passes along the Boundary of Block-2 Plan 'B'.

FA line passes through Plot No. in village Borea 62.

SUB-BLOCK 'H'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks.
1	Borea	Gomia	115	Hazaribagh.	3.25 Acres (Approximate)	Part.
TOTAL					3.25 Acres (Approximate)	

Plot Nos. to be acquired in village Borea:—313(Part), 343 to 347.

Boundary description

GH line passes along plot No. 343.

HI line passes along the Boundary of Plot No. 348(Road).

IJ line passes along the boundary of block 3 Plan 'B'.

JG line passes through plot No. 313 and along the boundary of Plot No. 342 upto point 'G'.

[No. C2-21(4)/59.]

New Delhi-2, the 29th May 1959

S.O. 1295.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE
BLOCK 'A'

Plan No. HQ/LA/598/6

Sl. No.	Name of Village.	Patwari circle No.	Name of Tahsil.	Name of District.	Area.	Remarks.
1	Sunbersa	6 & 5	Manindragurh	Surguja	13150 Acres	Whole villages including part reserve forest.
2	Ujjarpur					
3	Nagar	8	Baikunthpur	Surguja	3850 Acres	Whole village including part reserve forest.
TOTAL AREA					17000 Acres	(Approximate) Including Reserve Forest.

Boundary description

AB line common boundary of Rewa & Manendragurh Tahsil.

BC line passes through reserve forest and Eastern boundary of Mahi village.

CD line passes through reserve forest and Southern boundary of Matukpur and Mahi villages.

DE line passes through reserve forest.

EF line passes through reserve forest and Southern boundary of Pendri village.

FG line passes through reserve forest.

GH line passes along Hasdo Nala.

HI line passes through reserve forest and Southern boundary of Amritdhara village.

IJ line passes through reserve forest.

JK line passes through Reserve Forest and Northern boundary of Nagar village.

KL line passes through the eastern boundary of Nagar village.

LM line passes through Reserve Forest and Southern boundary of Nagar village.

MN line passes through Reserve Forest.

NO line passes through Reserve Forest and Northern boundary of Latanpara and Jagatpur villages.

OP line passes along Southern boundary of Ujjarpur village.

PQ line passes along Western Boundary of Ujjarpur and Sunbersa villages.

PRS line passes through Reserve Forest and Northern boundary of Berbaspur, Mahrajpur and Harra villages.

ST line passes through Reserve Forest.

TU line passes through Reserve Forest and Northern boundary of Belbehra and Sankergarh villages.

UV line passes through Reserve Forest.

VA line passes through Reserve Forest and Northern boundary of Putadand village.

The map of the area can be inspected at the office of the Collector, Surguja (MP) or at the office of the National Coal Development Corporation (P) Ltd., (Revenue Section), Darbhanga House, Ranchi.

[No. C2-6(32)/57.]

A. S. GREWAL, Under Secy.

(Department of Iron and Steel)

New Delhi, the 28th May, 1959

S.O. 1296/ESS. COMM/IRON AND STEEL. 15(1)/AM (4).—The following Notification issued by the Iron and Steel Controller under Clause 15(1) of the Iron and Steel (Control) Order, 1956 is published for general information :—

*NOTIFICATION

In exercise of powers conferred by Sub-Section I of Clause 15 of the Iron and Steel (Control) Order, 1956 and with the approval of the Union Government the Iron and Steel Controller hereby notifies the following amendment to sectional extras for Metric Sections of Structural *viz.*, Joists Channels and Angles in those published under S.O. 621/ESS. COMM/IRON AND STEEL—15(1)/AM(1)/59 in Part II Section 3, Sub-Section (ii) of the Gazette of India dated 21st March 1959.

ADDENDUM

Metric Section	Wt. in Kg/ Metre	Extra per ton	
		L/Ton Rs. nP	M/Ton Rs. nP
1. Joists			
175 × 50 mm	8.10	27.57	27.13
2. Channels			
150 × 55 mm	9.9	42.24	41.57
75 × 40 mm	5.7	36.03	35.49
75 × 40 mm	6.8	30.20	29.72

CORRIGENDUM

1. Channels			
400 × 100 mm	49.4	For 17.81	17.53
		Read 6.67	6.56
2. Equal Angles			
20 × 20 × 3 mm		For 66.67	65.62
		Read 53.33	52.49
20 × 20 × 4		For 53.33	52.49
		Read 46.67	45.93

A. S. PAM.
Iron and Steel Controller."

[No. F. SC(A)-2(300)/58.]

J. S. BAIJAL, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 19th May 1959

S.O. 1297.—In pursuance of the provisions of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay for the period shown against each :

Serial No.	Name and address	Section	Period
1.	Shri M.S. Anvikar, Anvi, Taluka Sillod, District Aurangabad, Bombay State.	4(viii)	up to 31-3-1962
2.	Shri Laxmanarayan Dhamnodwala, 13, Ushaganj, Indore (Madhya Pradesh) <i>vice</i> Shri R.D. Agrawal, Indore.	4(v)	31-3-1960

[No. I-42/56-Com. II.]

New Delhi, the 21st May 1959

S.O. 1298.—In pursuance of the provisions of clause (b) of Section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944), the Government of Madras have re-nominated Shri Srinivasa Iyer, B.A., B.L., Advocate and Grower, Pattukottai, Tanjore District, Madras State as a member of the Indian Central Coconut Committee for a period of 3 years with effect from 1st April 1959.

[No. 8-5/59-Com.I.]

S.O. 1299.—In pursuance of the provisions of clause (b) of Section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944), the Government of Bombay have nominated Shri V. V. Sapale, Kankavali, Ratnagiri District, Bombay State as a member of the Indian Central Coconut Committee for a period of 3 years with effect from 1st April 1959.

[No. 8-5/59-Com.I.]

AJUDHIA PRASADA, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

New Delhi, the 20th May 1959

S.O. 1300.—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby directs that the Indian Telegraph (Amendment) Act (47 of 1957) will come into force with effect from the 1st June, 1959.

[No. 21-1/59-PHC.]

K. K. SARAN, Dy. Secy.

(Department of Communications) (P. & T.)

New Delhi, the 26th May 1959

S.O. 1301.—In exercise of the powers conferred by sub-section (I) of section 9 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933. namely:—

In Sub-rule (3) of rule 30 of the said rules, for the words "the last day", the words "the last working day" shall be substituted.

[No. 5/45/58-CI.]

B. G. DESHMUKH, Under Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 28th May 1959

S.O. 1302.—In exercise of the powers conferred on me by Sub-section 3 of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, I delegate the powers, specified below, to all the Settlement Officers in the office of the Chief Settlement Commissioner, to be exercised by them in relation to the rural building claims rejected on account of allotment of land to the claimants and which are revived for the purpose of adjusting the public dues and the cost of land recoverable from such claimants under Rule 63 of the rules framed under the said Act.

"Powers for determination of the amount of compensation under the Displaced Persons (Compensation & Rehabilitation) Act, 1954 and the

rules framed thereunder and adjustment therefrom public dues recoverable from the claimant and the cost of land allotted to him in the States other than Punjab."

[No. 4(2)P/CSC/CB/58.]

(Sd.) Illegible, Settlement Commissioner.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 29th May, 1959

S.O. 1303.—Under the provisions of sub-section (4) of section 22 of the Delhi Development Act, 1957, the Fruit & Vegetable Market, Subzimandi, Delhi, with the two plots of Nazul land, situated outside it, one measuring 876 sq. yds. or thereabout and the other measuring 1578 sq. yds. or thereabout, which are being used for a cycle stand and for the collection of Tehbazari, is replaced at the disposal of the Central Government with effect from the forenoon of the 1st April, 1959

[No. L/2(9)]

New Delhi, the 1st June 1959

S.O. 1304.—In pursuance of section 52 of the Delhi Development Act (No. 61 of 1957), the Delhi Development Authority, hereby delegates to the Secretary with effect from 19th December, 1958, its powers to execute agreements, lease deeds, sale deeds and such other documents, in respect of transactions sanctioned by the Authority, or any officer to whom such powers of sanctioning transactions may have been delegated. Provided that this delegation shall not authorise the Secretary to grant a lease, or effect a sale, or to enter into a contract on behalf of the Authority.

[No. F. 1(31)/59-GA.]

M. L. GUPTA, Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 27th May 1959

S.O. 1305.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956, to the factory known as Messrs. Walchandnagar Industries Ltd., Walchandnagar, District Poona, there was in existence a provident fund common to the employees employed in the said factory, to which the said Act applies and the employees in their other establishments specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said establishments.

SCHEDULE

1 Messrs. Walchandnagar Industries Ltd., Civil Tramline Department, Walchandnagar, District Poona.

2. Messrs. Walchandnagar Industries Ltd., Tin Plant Department Walchandnagar District, Poona.

3. Messrs. Walchandnagar Industries Ltd., Motor Department. Walchandnagar District, Poona.

4. Messrs. Walchandnagar Industries Ltd., Sugar Machinery Manufacturing Section, Walchandnagar District, Poona.

5. Messrs. Walchandnagar Industries Ltd., Oil Mill Department. Walchandnagar, District, Poona.

6. Messrs. Walchandnagar Industries Ltd., Distillery Department, Walchandnagar, District, Poona.

7. Messrs. Walchandnagar Industries Ltd., Vegetable Products Department, Walchandnagar District, Poona.

8. Messrs. Walchandnagar Industries Ltd., Plastics Department, Walchandnagar, District, Poona.

9. Messrs. Walchandnagar Industries Ltd., General Office Department, Walchandnagar, District, Poona.

10. Messrs. Walchandnagar Industries Ltd., Mudranalaya Department, Walchandnagar, District Poona.

[PF.II-9(26)/58.]

S.O. 1306.—In exercise of the powers conferred by sub-section (2) of section 1 of the Workmen's Compensation (Amendment) Act, 1959 (8 of 1959), the Central Government hereby appoints the 1st day of June, 1959, as the date on which the said Act shall come into force.

[No. Fac. 152(41)/59.]

New Delhi, the 29th May 1959

S.O. 1307.—Whereas immediately before the Employees, Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956 and 1st May 1957 to the Utran and Chola power houses of the Bombay State Electricity Board at Utran, District Surat and at Thakurli, District Thana respectively, there was in existence a provident fund common to the employees employed in the power houses, to which the said Act applies and the employees in their other power houses, sub-stations and office establishments specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid power houses, sub-stations and office establishments.

SCHEDULE

1. Nadiad Sub-Station, P.O. Nadiad, District, Kaira.
2. Anand Sub-Station, P.O. Anand, District, Kaira.
3. Devgad-Barla Power House, Baria, District Panch Mahal.
4. Himatnagar Power House, P.O. Himatnagar, District Sabarkantha.
5. Santrampur Power House at Santrampur, District Panch Mahal.
6. Mansa Power House at Mansa, District Mehsana.
7. Radhanpur Power House at Radhanpur, District Mehsana.
8. Okha Power House at Port Okha (Saurashtra).
9. Deesa Power House at Deesa, District Banaskantha.
10. Rajpipla Power House at Rajapipla, District Broach.
11. Chhota-Udepur Power House at Chhota-Udepur, District Baroda.
12. Bansda Power House at Bansda, District Surat.
13. Dharampur Power House at Dharampur, District Surat.
14. Jawahar Power House, P.O. Jawahar, District, Thana.
15. Dharangaon Power House at Dharangaon, District East Khandesh.
16. Janjira Power House at Murud, District Kolaba.
17. Radhangari Hydro-Electric Generating Station, Radhanagari, District, Kolahpur.
18. Emergency Irrigation Power House at Kolahpur, Distt. Kolahpur.
19. Islampur Power House, P.O. Islampur, Distt. Satara (North).
20. Ratnagiri Power House, Ratnagiri, District, Ratnagiri.
21. Chiplun Power House, P.O. Chiplun, District Ratnagiri.
22. Malwan Power House at Malwan, District Ratnagiri.
23. Vengurla Power House at Vengurla, District Ratnagiri.
24. Ulhasnagar Power House, P.O. Kalyan Camp No. 3, Distt. Thana.
25. Bhatgar Power House at Bhatgar, District Poona.
26. Phaltan sub-station, P.O. Phaltan, Distt. Satara (North).
27. Satara Receiving Station, P.O. Godoli, Satara.

28. Wai Power House at Wai, District Satara (North).
29. Bombay Electricity Board's Head Office at Mercantile Bank Building, Fort, Bombay—1.
30. O. & M. Divisional Office Nadiad, District Kaira.
31. O. & M. Divisional Office, Utran, Distt. Surat (including II Extension).
32. O. & M. Division, Office, Kolhapur (S.M.C.).
33. E.E. Construction Division's Office Sabarmati (Near Ahmedabad).
34. E.E. Construction Division's Office Utran.

[No. PF.II.9(32)/58.]

New Delhi, the 1st June 1959

S.O. 1308.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of the notification of the Government of India in the Ministry of Labour & Employment No. S.O. 2175, dated the 11th October, 1958, the Central Government hereby appoints Shri D. R. Manchanda, Officiating Regional Provident Fund Commissioner, to be an Inspector for the whole of the Union territory of Himachal Pradesh for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry *vice* Shri H. R. Singh.

[No. PF-I/31(575)/59.]

S.O. 1309.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, framed under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2174, dated the 11th October, 1958, the Central Government hereby appoints Shri D. R. Manchanda as Regional Provident Fund Commissioner for the whole of the Union territory of Himachal Pradesh *vice* Shri H. R. Singh deputed to U.K. for training. Shri Manchanda shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. PF-I/31(575)/59.]

New Delhi, the 6th June, 1959

S.O. 1310.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme for the Port of Cochin the same having been previously published as required by the said sub-section, namely:—

THE SCHEME

THE COCHIN DOCK WORKERS (REGULATION OF EMPLOYMENT) SCHEME, 1959.

1. Name of the Scheme.—The Scheme may be called the Cochin Dock Workers (Regulation of Employment) Scheme, 1958 (hereinafter referred to as "the Scheme").

2. Objects and application.—(1) The objects of the Scheme are to ensure greater regularity of employment for dock workers and to secure that an adequate number of dock workers is available for the efficient performance of dock work.

(2) The Scheme relates to the Port of Cochin and applies to the classes or descriptions of dock work and dock workers set out in Schedule hereto annexed:

Provided that the Scheme shall not apply to any dock worker unless he is employed or registered for employment as a dock worker.

(3) The Scheme shall apply to registered dock workers and registered employers.

3. Interpretations.—In this Scheme, unless there is anything repugnant in the subject or context—

- (a) "the Act" means the Dock Workers (Regulation of Employment) Act, 1948 (IX of 1948);

- (b) "Administrative Body" means the Administrative Body appointed under clause 5;
- (c) "Board" means the Cochin Dock Labour Board constituted under clause 4;
- (d) "Chairman" means the Chairman of the Dock Labour Board;
- (e) "daily worker" means a registered dock worker who is not a monthly worker;
- (f) "dock employer" means the person by whom a dock worker is employed or is to be employed and includes a group of dock employers formed under clause 15(1)(d);
- (g) "dock work" means operations at places or premises to which the Scheme relates, ordinarily performed by dock workers of the classes or descriptions to which the Scheme applies;
- (h) "employers' register" means the register of dock employers maintained under the Scheme;
- (i) "Executive Officer" means the Executive Officer, appointed by the Board under clause 6;
- (j) "Labour Officer" means the Labour Officer appointed by the Administrative Body under clause 12;
- (k) "monthly worker" means a registered dock worker who is engaged by a registered employer or a group of such employers on monthly basis under a contract which requires for its termination at least one month's notice on either side;
- (l) "Personnel Officer" means the Personnel Officer appointed by the Board under clause 6;
- (m) "register or record" means the register or record of dock workers maintained under the Scheme;
- (n) "registered dock worker" means a dock worker whose name is for the time being entered in the register or record;
- (o) "registered employer" means a dock employer whose name is for the time being entered in the employers' register;
- (p) "reserve pool" means a pool of registered dock workers who are available for work, and who are not for the time being in the employment of a registered employer or a group of dock employers as monthly workers;
- (q) "vessel" means an ocean going vessel or ship which depends on power, not sail, for its propulsion;
- (r) "week" means the period commencing from mid-night of Saturday and ending on the mid-night of the next succeeding Saturday.

4. Cochin Dock Labour Board.—Constitution of.—(1) The Central Government shall, by notification in the Official Gazette, constitute a Board to be called the "Cochin Dock Labour Board" which shall subject to the provisions hereinafter contained, be responsible for the administration of the Scheme.

(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The Board shall consist of not less than 12 members to be appointed by the Central Government and shall include an equal number of members representing—

- (i) the Central Government
- (ii) the dock workers, and
- (iii) the employers of dock workers and shipping companies.

(4) The Chairman of the Board shall be nominated by the Central Government from among the members representing the Government and the Vice-Chairman, of the Board shall be elected by the members of the Board from among themselves.

(5) The persons representing respectively the dock workers and the employers shall be appointed after consulting such Associations of persons as appear to the Central Government to be representative of such workers and such employers.

(6) There shall be paid to the non-official members of the Board such salaries, fees and allowances as may, subject to the approval of the Central Government be determined by the Board, from time to time.

(7) (a) A member other than a member representing the Central Government shall hold office for a period of three years from the date of the notification appointing him as a member and shall be eligible for re-appointment:

Provided that an outgoing member shall continue in office until the appointment of his successor is notified in the Official Gazette:

Provided further that a member appointed to fill a casual vacancy shall hold office for the unexpired portion of the term of the person in whose place he is appointed.

(b) A member representing the Central Government may be appointed either by name or by virtue of his office. Every such member shall hold office during the pleasure of the Central Government.

(c) A member other than a member representing the Central Government may resign his office by letter under his hand addressed to the Chairman.

(d) If a member proposes to proceed out of India, he shall, before doing so intimate to the Chairman, the proposed date of his departure from and of his return to, India and, if he intends to be absent from India for a period exceeding six months, he shall tender his resignation.

(e) A member shall be deemed to have vacated his office:—

- (i) if he proceeds out of India without complying with the provisions of the sub-clause (d); or
- (ii) if he becomes insolvent; or
- (iii) if he is convicted of an offence which, in the opinion of the Central Government involved moral turpitude; or
- (iv) if he is absent from three consecutive ordinary meetings of the Board without leave of absence from the Chairman; or
- (v) if, in the opinion of the Central Government, a member who was appointed to represent dock workers or employers of dock workers and shipping companies ceases to be representative of dock workers or their employers or the shipping companies, as the case may be; or
- (vi) if, in the opinion of the Central Government it is for any other reason not desirable that he should continue to be a member;

Every vacancy under this sub-clause shall be notified in the Official Gazette.

(f) If, on a report from the Chairman and after such enquiry as it may deem necessary, the Central Government is of opinion that a body or association which is represented on the Board has acted or is acting in a manner prejudicial to the working of the Scheme or to the attainment of its objective, it may by order suspend the representation of that body or association until such time or for such period as may be specified in such order.

(8) The quorum for and the procedure at meetings of the Board shall be such as the Board may from time to time determine.

(9) If any question arises for the decision of the Board, it shall be decided by vote of the majority of the members present and voting and in case of equality of votes, the Chairman shall have a second or a casting vote.

(10) The Chairman may invite any person to be present at any meeting and to participate in the discussion but such person shall not be entitled to vote.

5. Administrative Body.—(1) The Central Government, may by notification in the Official Gazette, appoint the Cochin Stevedores' Association or any other authority to be the Administrative Body for the purpose of carrying on the day-to-day administration of the Scheme.

(2) The Administrative Body shall, subject to the supervision and control of the Board and the Chairman and subject to the provisions of clause 45 carry on the day-to-day administration of the Scheme.

(3) The Central Government may, for sufficient cause remove any Administrative Body appointed under sub-clause (1):

Provided that the Administrative Body shall not be removed unless it has been given a reasonable opportunity of being heard.

6. Executive Officer and Personnel Officer.—The Board may appoint an Executive Officer, a Personnel Officer and such other officers and servants, and pay them such salaries and allowances and prescribe such terms and conditions of service as it deems fit:

Provided that no post the maximum salary of which exclusive of allowances is rupees five hundred or more per mensem shall be created, and no appointment to such post shall be made, by the Board except with the previous approval of the Central Government.

Provided further that the sanction of the Central Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than one month.

7. Functions of the Board.—(1) The Board may take such measures as it may consider desirable for furthering the objectives of the Scheme set out in clause 2, including measures for:

- (a) ensuring the adequate supply and the full and proper utilisation of the dock labour for the purpose of facilitating the rapid and economic turnaround of vessels and the speedy transit of goods through the Port;
- (b) regulating the recruitment and entry into and the discharge from the Scheme of dock workers and the allocation of registered dock workers in the reserve pool to registered employers;
- (c) determining and keeping under review, in consultation with the Administrative Body, the number of registered employers and registered dock workers from time to time on the registers or records and the increase or reduction to be made in the numbers in any such register or record;
- (d) keeping, adjusting and maintaining the employers' registers, entering or re-entering therein the name of any dock employer and, where circumstances so require, removing from the register the name of any registered employer either at his own request or in accordance with the provisions of the Scheme;
- (e) keeping, adjusting and maintaining from time to time such registers or records, as may be necessary, of dock workers, including any registers or records of dock workers who are temporarily not available for dock work and whose absence has been approved by the Administrative Body and, where circumstances so require, removing from any register or record the name of any registered dock workers either at his own request or in accordance with the provisions of the Scheme;
- (f) the grouping or regrouping of all registered dock workers into such groups as may be determined by the Board after consultation with the Administrative Body and thereafter reviewing the grouping of any registered dock worker on the application of the Administrative Body or of the registered dock worker;
- (g) making provision for the training and welfare of registered dock workers including medical services in so far as such provision does not exist apart from the Scheme;
- (h) levying and recovering from registered employers, contributions in respect of the expenses of the Scheme;
- (i) making provision for health and safety measures in places where dock workers are employed in so far as such provision does not exist apart from the Scheme;
- (j) maintaining and administering the Dock Workers Welfare Fund and recovering from all registered employers contribution towards the Fund in accordance with the rules of the Fund framed under clause 54;

(k) maintaining and administering a Provident Fund and a Gratuity Fund for registered dock workers in the Reserve Pool;

(l) borrowing or raising money and issuing debentures or other securities and, for the purpose of securing any debt or obligation, mortgaging or charging all or any part of the property of the Board.

(2) The income and property of the Board from whatever source derived shall be applied solely towards the objects of the Scheme including health safety, training and welfare measures for dock workers and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of benefit to the members of the Board, provided that nothing herein shall prevent the payment of reasonable and proper remuneration and expenses to any officer or servant of the Board or to any member of the Board in return for any services actually rendered to the Board, nor prevent the payment of interest at a reasonable rate on money lent or reasonable and proper rent for premises demised or let, by any member to the Board

(3) The Board shall cause proper accounts to be kept of the cost of operating the Scheme and of all receipts and expenses under the Scheme.

(4) The Board shall submit to the Central Government an annual report on the working of the Scheme, an audited balance sheet and copies of proceedings of the meetings of the Board.

8. Responsibilities and duties of the Board in meeting.—The Board in meeting shall be responsible for dealing with all matters of policy and in particular may—

- (a) fix the number of workers to be registered under various categories;
- (b) increase or decrease the number of workers in any category on the register from time to time as may be necessary after a periodical review of the registers and anticipated requirements;
- (c) sanction the temporary registration of a specified number of workers in any category for a specified period;
- (d) consider registration of new employers on the recommendation of the Chairman;
- (e) prescribe forms, records, registers, statements and the like required to be maintained under the Scheme;
- (f) determine the wages, allowances and other conditions of service, and fix the guaranteed minimum wages in a month after annual review;
- (g) fix the rate of levy under clause 52(1);
- (h) fix the rate of contribution to be made by registered employers to the Dock Workers Welfare Fund;
- (i) appoint, abolish or reconstitute Committees under clause 36;
- (j) sanction the Annual Budget;
- (k) appoint the Executive Officer and the Personnel Officer;
- (l) subject to the provisions of clause 6, sanction the creation of posts the maximum salary of which exclusive of allowances is not less than Rs. 300 per mensem and make appointments to such posts;
- (m) make recommendations to the Central Government about changes in the Schedule;
- (n) make recommendations to the Central Government about any modifications in the Scheme;
- (o) endeavour to settle disputes about which a request for adjudication has been made to the Central Government by the parties concerned and report to the Government the results of such endeavours;
- (p) discuss statistics of output of labour and turn-round of ships and record its observations and directions; and
- (q) sanction the opening of accounts in such scheduled Banks as it may direct and the operation of such accounts by such persons as the Board may from time to time direct.

9. Responsibilities and duties of Chairman.—(1) The Chairman shall have full administrative and executive powers to deal with all matters relating to the day-to-day administration of the Scheme and in particular:

- (a) to ensure that the decisions of the Board in regard to the adjustment of the workers' registers are carried out expeditiously;

- (b) to ensure that the sanctions for temporary registration of workers are carried out without delay;
- (c) (i) to supervise and control the working of the Administrative Body;
(ii) to take suitable steps if any irregularities are detected by him or brought to his notice;
- (d) to ensure that proper and adequate supervision is provided by the registered employers over the workers employed on their ships;
- (e) to ensure that the provisions of the Scheme in regard to transfer and promotion of workers are carried out;
- (f) to constitute Medical Boards when required;
- (g) to ensure that conditions, laid down in the Scheme, for the registration of employers are complied with by them;
- (h) to ensure that all forms, registers, returns and documents, prescribed under the Scheme, are properly maintained;
- (i) to ensure that suitable statistics in regard to the output of labour and the turn-round of ships are compiled and placed before the Board every quarter with appropriate remarks and explanations;
- (j) to sanction the creation of posts the maximum salary of which exclusive of allowances is below Rs. 300 per month and to make appointments to such posts;
- (k) to take disciplinary action against workers and employers in accordance with the provisions of the Scheme;
- (l) to allow relaxation in the maximum number of shifts per worker per week or per month, and to report such cases to the Board;
- (m) to declare that there has been a 'go-slow' and to take action as authorised under the Scheme;
- (n) to declare a 'state of emergency' and to take action as authorised under the Scheme;
- (o) to make a report, when necessary, to the Central Government under clause 4(7)(f);
- (p) to sanction the transfer of a monthly worker to the reserve pool at the request of the employer or the worker, as provided for in the Scheme;
- (q) to deal with appeals under clauses 48 and 49; and
- (r) to discharge all other duties and responsibilities specifically vested in the Chairman under the Scheme.

(2) The Chairman may delegate in writing to the Executive Officer any of the functions under sub-clause (1) above excepting those mentioned in items (j), (l), (m), (n), (o), (q) and (r). Such delegation, however, shall not divest the Chairman of his powers.

10. Responsibilities and duties of the Executive Officer.—The Executive Officer shall be a whole time Officer of the Board and shall assist the Chairman in the discharge of his functions and in particular shall—

- (a) discharge all functions relating to disciplinary action against registered employers and dock workers to the extent permitted under clause 45,
- (b) exercise such other functions as are delegated to him in writing by the Chairman.

11. Functions of the Administrative Body.—Without prejudice to the powers and functions of the Board, the Chairman and the Executive Officer, the Administrative Body shall be responsible for the administration of the Scheme and shall in particular be responsible for—

- (a) keeping, adjusting and maintaining the employers' register, entering or re-entering therein the name of any dock employer and, where circumstances so require removing from the register the name of any registered employer, either at his own request or in accordance with the provisions of the Scheme;
- (b) keeping, adjusting and maintaining from time to time such registers or records as may be necessary, of dock workers, including any registers or records of dock workers who are temporarily not available for dock work and whose absence has been approved by the Administrative Body and where circumstances so require, removing

- from any register or record the name of any registered dock worker either at his own request or in accordance with the provisions of the Scheme;
- (c) the employment and control of registered dock workers available for work when they are not otherwise employed in accordance with the Scheme;
 - (d) the grouping or re-grouping of registered dock workers in accordance with the instructions received from the Board in such groups as may be determined by the Board;
 - (e) the allocation of registered dock workers in the reserve pool who are available for work to registered employers and for this purpose the Administrative Body shall—
 - (i) be deemed to act as an agent for the employer,
 - (ii) make the fullest possible use of registered dock workers in reserve pool,
 - (iii) keep the record of attendance, at call stands or control points, of registered dock workers,
 - (iv) provide for the maintenance of the records of employment and earnings,
 - (v) subject to the allotment of work by rotation under clause 29(3), allocate workers in accordance with clauses 19 and 30, and
 - (vi) make necessary entries in the Attendance and Wage Cards of workers in the reserve pool as laid down in clause 27;
 - (f) (i) the collection of levy, contribution to the dock Dock Workers Welfare Fund or any other contribution from the employers as may be prescribed under the Scheme;
 - (ii) the collection of workers' contribution to the Provident Fund, Insurance Fund or any other fund which may be constituted under the Scheme;
 - (iii) the payment as agent of the registered employer to each daily worker of all earnings properly due to the worker from the employer and the payment to such workers of all monies payable by the Board to those workers in accordance with the provisions of the Scheme;
 - (g) appointing subject to budget provision, such officers and servants from time to time as may be necessary:

Provided that the creation of posts the maximum salary of which exclusive of allowances is not less than Rs. 250 per month and appointment of persons to such posts shall be subject to clauses 8(1) and 9(1)(j);

- (h) the keeping of proper accounts of the cost of operating the Scheme and of all receipts and expenses under it and making and submitting to the Board an annual report and audited balance-sheet;
- (i) the framing of budget annually and for getting it approved by the Board;
- (j) maintaining complete service records of all registered dock workers; and
- (k) such other functions as may from time to time, subject to the provisions of the Scheme, be assigned to it by the Board or the Chairman.

12. Labour Officer.—The Administrative Body when it consists of employers of dock workers shall appoint a Labour Officer or Labour Officers with the approval of the Board. The Labour Officer shall under the supervision and control of the Administrative Body, carry out such functions as may be assigned to him by that Body consistent with the provisions of the Scheme.

13. Functions of the Personnel Officer.—The Personnel Officer shall assist the Executive Officer generally in the discharge of his duties and shall, in particular, carry out functions vested in him under clause 45.

14. Officers appointed by the Central Government for proper working of the Scheme.—(1) Notwithstanding the provisions of the clauses 5, 6, 11 and 13, the Central Government may in its discretion appoint from time to time, in consultation with the Chairman of the Board, one or more officers and entrust to such officer or officers such functions as it may deem fit for the proper working of the Scheme.

(2) Such officer or officers shall be subject to the general supervision and control of the Chairman and be paid from the funds of the Board. He/They shall hold office for such period and on such terms and conditions as the Central Government may determine.

15. Maintenance of Registers etc.—(1) Employers' Register.—(a) There shall be a register of employers.

(b) In so far as the application of the Scheme to stevedore Labour is concerned, every stevedore who is licensed by the Cochin Port Authority at the time when the Scheme is put into operation and who has worked as a stevedore in the Port of Cochin at any time during the preceding two years shall be entitled to be registered under the Scheme; but no such person shall be so entitled unless he applies for registration on or before the date fixed by the Board for this purpose.

(c) Persons other than those registered under sub-clause (b) shall not be registered as stevedores unless the Board considers it expedient and necessary to do so and in no case shall a person be registered until he has been licensed in that behalf by the Port Authority.

(d) The Board may, subject to such conditions as it may, with the previous approval of the Central Government prescribe in this behalf, permit persons registered under item (b) or (c), to form one or more groups and each group so formed shall be treated as one employer only for employment of monthly workers:

Provided that the Board shall have power to make with the previous approval of the Central Government such alterations or modifications in the conditions prescribed, as it may deem necessary from time to time:

Provided further that the Board may revoke from such date as it may specify, the permission given to any group of employers if, after giving an opportunity to the group of employers to show cause against the proposal and after considering its representations, if any, the Board is satisfied that the group of employers has failed to comply, in part or in full, with the conditions prescribed for the formation of such group and the said group shall stand dissolved from such date.

(2) Workers' Registers.—(a) The workers' registers shall be maintained in the forms prescribed by the Board for this purpose.

(b) The registers of stevedore workers shall be as under, namely:—

(i) **Monthly Register.**—Register of workers who are engaged by each stevedore on contract on monthly basis and who are known as monthly workers. This register may include a list of stevedore mazdoors known as leave reserve workers to fill in casual vacancies in gangs.

(ii) **Reserve Pool Register.**—Register of workers other than those on the monthly register and known as Reserve Pool Workers. This register shall include a sub-pool of stevedore mazdoors to fill casual vacancies. The workers included in such a sub-pool shall be known as leave reserve workers

16. Classification of workers in Registers.—(1) The Board shall arrange for the classification of workers by categories in the registers.

(2) Dock workers registered under the Scheme shall be classified into:—

(a) General Foreman (Serang).

(b) Tindal.

(c) Winchman.

(d) Stevedore Mazdoor.

17. Fixation of number of workers on the Register.—The Board shall in consultation with the Administrative Body determine, before the commencement of registration in any category, the number of workers required in that category.

18. Registration of existing and new workers.—(1) (a) Any dock worker who, immediately before the coming into force of the Scheme, is in the employment of any employer to whom the Scheme applies, shall be eligible for registration.

(b) The qualifications for new registration shall be such age as may be prescribed by the Board having regard to local conditions but not exceeding 40 years, physical fitness, capacity and/or experience. Indian Nationals only shall be eligible for registration.

(c) Registration of workers in any new category shall be done from among workers who have been or were working in the Port on any such date as the Board may prescribe on this behalf and selection for registration shall be made as far as possible on the basis of seniority, i.e., in the order of the total period for which a dock worker has worked in that category provided that the worker is medically fit and is not more than 60 years of age.

(2) The following principles shall apply in respect of registration of new categories of dock workers which may after the date of enforcement of the Scheme be included in the Schedule:—

(a) Before a worker is registered in any of the new categories, the Board shall under clause 17 make a thorough investigation with a view to arriving at an estimate of the number of workers in that category that are likely to be required out of all the *bona-fide* workers in that category who may then be working in the docks.

(b) There shall be a provisional registration based on the anticipated requirements and the mere fact that a worker has been working before in the port shall not automatically entitle him to registration.

(c) After the provisional registration has been completed, the booking in rotation shall start without allowing, at that stage, any financial benefits other than wages which accrue to registered workers under the Scheme.

(d) A reassessment of the requirements shall be made after six months in the light of the actual employment obtained by workers provisionally registered and the provisional registration shall then be adjusted accordingly. The payment of attendance allowance under clause 32 only shall commence from that time.

(e) The working under these conditions shall be examined after a year of the introduction of the rotational booking with a view to fixing the number of days for which the guaranteed minimum wages under clause 31, should be paid. From then onwards the workers will be entitled to all the benefits under the Scheme.

(f) The minimum number of days in a month for which wages are guaranteed under clause 31 to categories of workers previously registered shall not automatically be claimed by workers of the categories to be registered after the date of enforcement of the Scheme. Such minimum number of days may vary from category to category as determined, under item (e) above.

(g) The wages of the workers in categories which may be registered after the date of enforcement of the Scheme, shall be such as may be fixed by the Board from time to time.

(3) The Board may from time to time permit the registration of workers temporarily for such periods and on such terms and conditions of service as the Board may specify:

Provided that the workers registered temporarily shall be entitled to attendance allowance under clause 32 and shall have the same obligations as registered dock workers in the reserve pool.

(4) Any fresh recruitment, whether on a temporary or permanent basis, in any category in which dock workers have already been registered under the Scheme shall be done from amongst workers registered with the local Employment Exchange. If however, the requirement exceeds the number of suitable men available on the register of the Employment Exchange on the day of the requisition, direct recruitment, after absorbing suitable men from the Employment Exchange register, may be made.

(5) New workers registered under item (b) of sub-clause (1) will be on probation for a period of three months before being placed on a permanent basis on the registers.

(6) Notwithstanding any other provision of the Scheme, where the Board is of opinion that a dock worker has secured his registration by furnishing false information in his application or by withholding any information required therein, or where it appears that a worker has been registered improperly or incorrectly, the Board in meeting may direct the removal of his name from the registers:

Provided that before giving any such direction the Board shall give him an opportunity of showing cause why the proposed direction should not be issued.

19. Promotion and Transfer of Workers.—(1) A vacancy, other than a casual vacancy, in any category of workers in a reserve pool register shall ordinarily be filled by promotion of a worker from the next lower category.

(2) A vacancy other than a casual vacancy, in any category of monthly workers may be filled only by promotion from lower categories of monthly workers of the same employer or group of employers or, if no person is suitable for promotion from lower categories of monthly workers of the same employer or group of employers, by transfer of a worker in the same or a superior category from the reserve pool who may be selected by a registered employer or a group of employers.

Explanation.—The criteria for promotion shall ordinarily be:—

(a) seniority,

(b) merit and fitness for work in the category to which promotion is to be made, and

(c) record of past service.

Note.—A transfer from the reserve pool register to the monthly register in the same category or *vice versa* shall not be deemed a promotion.

(3) The Chairman or the Executive Officer may for sufficient and valid reasons allow the transfer of a monthly worker to the reserve pool on a request in writing of the employer or the worker explaining fully the reasons for the transfer, provided that such transfer shall be subject to the fulfilment of any contract subsisting between the monthly worker and his employer regarding termination of employment. No transfer shall take place without the prior approval of the Chairman or the Executive Officer.

(4) If the services of a monthly worker are terminated by an employer for an act of indiscipline or misconduct he may apply to the Board for employment in the reserve pool. The Executive Officer on behalf of the Board shall then decide on the merits of the case whether or not the worker should be employed and if so, whether in the same or a lower category.

(5) If a monthly worker is transferred to or employed in the reserve pool under sub-clause (3) or sub-clause (4), as the case may be, his previous service shall be reckoned for all benefits in the reserve pool and the employer shall transfer to the Board all benefits that have accrued to the worker in respect of his previous service as if such service had not been transferred. The employer shall in particular contribute to the Board such amount as may be appropriate towards the worker's leave, Provident Fund or gratuity that may be due to him on the date of such transfer.

20. Medical Examination.—(1) A new worker before registration shall undergo, free of charge, a medical examination for physical fitness by a Medical Officer nominated by the Chairman for this purpose. A worker found medically unfit by a Medical Officer may apply in writing to the Chairman and simultaneously deposit with him such fees as may be prescribed in this behalf, for examination by a Medical Board. On receipt of such a request, the Chairman shall set up a Medical Board. The decision of the Medical Board shall be final and a worker who is medically unfit shall not be entitled to registration.

(2) If the Administrative Body deems it necessary, a worker shall undergo free of charge a medical examination by a Medical Board to be constituted by the Chairman. The decision of the Medical Board shall be final. If a worker is found permanently unfit by the Medical Board the Chairman shall terminate his services forthwith.

21. Facilities for Training.—The Board shall make provision for training of suitable registered workers in the duties of Winchmen or in any other duties like signalling, etc. that it may deem necessary.

22. Registration Fee.—A registration fee of rupees two shall be payable to the Board by each worker at the time of registration under the Scheme:

Provided however that the fee for workers registered at the commencement of the Scheme shall be Rupee one.

23 Supply of cards.—(1) Every registered worker shall be supplied, free of cost with the following cards in the forms prescribed by the Board, namely:

- (i) Identity card,
- (ii) Attendance card, and
- (iii) Wage card

(2) In case of loss of a card, a fresh card will be issued but the cost thereof which will be fixed by the Board, shall be payable by the worker concerned.

24 "Service Records" for registered workers.—A "Service Record" for every monthly and daily worker shall be maintained by the Administrative Body in a form to be prescribed by the Board which shall contain, among other things, a complete record of disciplinary actions taken against the worker, promotions, commendations for good work, etc. Such details in respect of monthly workers shall be supplied to the Administrative Body by the registered employers.

25 "Record Sheets" for registered employers.—The Personnel Officer shall maintain a "Record Sheet" in respect of each registered employer in a form to be prescribed by the Board which shall contain, among other things, a complete record of disciplinary actions taken against the registered employer.

26. Surrender of Cards.—A worker's cards shall be surrendered to the Administrative Body in the following circumstances, namely:—

- (a) when proceeding on leave, for three days or more;
- (b) when retiring from service;
- (c) when dismissed or discharged from service;
- (d) when temporarily suspended; or
- (e) on death.

Provided that the employer of a monthly worker will also surrender the card of the worker to the Administrative Body in the case of (a), (b), (c), (d) and (e) above.

27. Entries in Attendance Card and Wage Card.—(1) A registered dock worker in the reserve pool shall hand over his Attendance Card and Wage Card to the Administrative Body at the time he is allocated for work to a registered employer unless any of the cards has already been deposited with the said Body previously and has not been returned to the worker. The Administrative Body shall arrange to make necessary entries in the Attendance Card and the Wage Card in respect of the period of work done by the worker and return them to him as soon as the entries have been made.

(2) A monthly worker shall hand over his Attendance Card and Wage Card to his employer at the time when he is allotted work on a ship unless any of the cards has already been deposited with the employer previously and has not been returned to the worker. The said employer shall make necessary entries in the cards in respect of the period of work done by the worker and return them to him as soon as the entries have been made.

28. Employment of workers.—(1) A monthly worker of a particular category attached to a registered employer or a group of employers shall be entitled to be employed for work in that category by that employer or group of employers in preference to any worker of the same category in the reserve pool.

(2) If the number of workers on the monthly register in a particular category is not sufficient for the work available, the workers on the reserve pool register in that category shall be employed.

(3) A monthly worker of one employer or a group of employers shall not be employed by another employer or group of employers, except with the previous approval of the Chairman or the Executive Officer.

29. Employment in shifts.—(1) Workers shall be employed in shifts.

(2) (a) A worker shall not ordinarily be employed in two consecutive shifts nor shall a worker be employed in two consecutive shifts on each of two successive days. In no case shall a worker be employed in three consecutive shifts.

(b) A worker in the reserve pool shall not be employed for more than 9 shifts in a week or 33 shifts in a month.

(c) Normally, a monthly worker shall not be employed for more than 6 shifts in a week or 27 shifts in a month, but when a worker in the reserve pool who has not reached the maximum limit of employment defined in item (b) above is not available, a monthly worker may be employed upto 9 shifts in a week or 33 shifts in a month.

(d) In special circumstances, the Chairman may relax temporarily the restrictions under items (b) and (c) to the extent necessary.

(e) Workers working more than one shift in a day will be entitled to the normal rate of wages for work in each shift.

(3) Workers of each category on the reserve pool register shall be allotted work by rotation.

(4) Where work is carried on by a gang, the allotment of workers by rotation shall be by gangs.

30 Filling up of Casual vacancies.—Casual vacancies in the monthly and reserve pool registers in the categories of Tindal and Stevedore Mazdoor shall be filled up in the following manner—

When a Tindal is absent the senior most Stevedore Mazdoor in the shift shall work as Tindal. The resultant vacancy shall be filled by leave reserve workers by rotational booking.

31 Guaranteed Minimum Wages in a month.—(1) A worker in the reserve pool register shall be paid wages at least for twelve days in a month at the wage rate, inclusive of dearness allowance, as prescribed by the Board appropriate to the category to which he permanently belongs, even though no work is found for him for the minimum number of twelve days in a month. The days on which work is allotted to the worker shall be counted towards the twelve days mentioned above. The guaranteed minimum wages in a month shall be—

(a) for the number of days for which wages are guaranteed in a month subject to the condition that the worker attended for work on all days of the month as directed by the Administrative Body, or

(b) proportionate to the number of days on which the worker attended for work provided he was excused from attendance on all the remaining days of the month.

(2) Subject to the provisions of sub-clause (1), the minimum number of days in a month for which wages are guaranteed may be fixed by the Board for each year on the basis of the monthly average employment obtained by the workers in the reserve pool in the lowest category of stevedore workers during the preceding year until the minimum number of days reaches 21, provided that the number so fixed shall not, in any case, be less than the number in the preceding year.

(3) The minimum number of days for which wages shall be guaranteed under sub-clauses (1) and (2) above shall not automatically apply to workers in new categories that may be registered after the date of enforcement of the scheme. The minimum number of days for which wages shall be guaranteed to these categories shall be determined under clause 18(2)(e). The annual refixation of the minimum number of days as under sub-clause (2) shall be done independently in their case also.

Explanation—In sub-clauses (1), (2) and (3) of this clause a 'day' shall mean a 'shift'.

32 Attendance allowance.—Subject to the other provisions of the Scheme, a worker on the reserve pool register who is available for work but for whom no work is found shall be paid attendance allowance at the rate of rupee one per

day for the days on which during a calendar month he attended for work as directed by the Administrative Body and no work was found for him:

Provided that the Board may allow payment of attendance allowance at such higher rate not exceeding rupee one and fifty naye paise as it may deem necessary:

Provided further that no attendance allowance shall be payable for any day for which full wages, inclusive of dearness allowance, have been paid under clause 31 or otherwise or for which disappointment money is paid under clause 34.

33. Employment for a shift.—(1) No worker in the reserve pool register shall be employed for a period of less than a shift and where the work for which a worker has been engaged is completed during the working period of the shift he shall undertake such other work in or at the same or another vessel or berth as may be required by the same employer for the remainder of the period and if no such other work is made available to him, he shall be paid in the following manner:—

(i) if he is engaged on time-rate basis he shall be paid the time-rate wage for the entire shift;

(ii) if he is engaged on a piece rate basis he shall be paid in addition to the piece rate wages earned by him in that shift, the calculated daily time-rate wage for the period he is rendered idle for want of work.

(2) Where a worker is allotted to a registered employer for work in a particular shift but the worker after reporting to the berth, is not engaged by the employer for the reason that the ship has not been berthed, he may be required to work for another employer in another ship berthed at the same place during that shift.

34. Disappointment Money.—When a worker in the reserve pool presents himself for work and for any reason the work for which he has attended cannot commence or proceed and no alternative work can be found for him and he is relieved within 2 hours of his attending for work, he shall be entitled to disappointment money equal to half the time-rate wage inclusive of dearness allowance, appropriate to the category to which he belongs. A worker detained for more than 2 hours shall be paid full time-rate wages inclusive of dearness allowance.

35. Holidays.—Each worker shall be entitled in a year to 8 holidays with pay at such rates as may be prescribed by the Board under clauses 41 and 42 including all such days, which shall not exceed 6 in a year, as are declared by the Board as closed holidays. Any payment made under this clause shall be exclusive of the payment calculated under clause 31.

36. Committees.—The Board may appoint one or more committees to whom it may entrust such of its functions as it may deem necessary to facilitate compliance with the provisions of the Scheme and may abolish or reconstitute them as it may deem necessary. Persons who are not members of the Board may, if necessary, be nominated as co-opted members of a committee, such co-opted members, however, shall not have any right of vote.

37. Obligations of registered dock workers.—(1) Every registered dock worker shall be deemed to have accepted the obligations of the Scheme.

(2) A registered dock worker in the reserve pool who is, available for work shall be deemed to be in the employment of the Board.

(3) A registered dock worker in the reserve pool who is available for work shall not engage himself for employment under a registered employer unless he is allocated to that employer by the Administrative Body.

(4) A registered dock worker in the reserve pool who is available for work shall carry out the directions of the Administrative Body and shall—

(a) report at such call stands or control points and at such time, as may be specified by the Administrative Body and shall remain at such call stands or control points—

(i) throughout the period of the shift, if instructed by the Administrative Body to that effect, on payment of such retention allowance as may be prescribed by the Board; or

(ii) for such period, not exceeding one hour, as may be specified; and

(b) accept any employment in connection with dock work, whether in the category in which he has been registered or in any other category for which he is considered suitable by the Administrative Body.

(5) A registered dock worker who is available for work when allocated by the Administrative Body for employment under a registered employer shall carry out his duties in accordance with the directions of such registered employer or his authorised representative or supervisor and the rules of the port place where he is working.

38. Obligations of registered employers.—(1) Every registered employer shall accept the obligations of the Scheme.

(2) Subject to the provisions of clause 28 and the relaxation given in clause 18(2), a registered employer shall not employ a worker other than a dock worker who has been allocated to him by the Administrative Body in accordance with the provisions of clause 11(e).

(3) A registered employer shall, in accordance with arrangements made by the Administrative Body, submit all available information of his current and future labour requirements.

(4) A registered employer shall lodge with the Administrative Body, unless otherwise directed, particulars of the tonnage handled by workers on piece-rate and such other statistical data as may be required in respect of the registered dock workers engaged by him.

(5) (i) A registered employer shall pay to the Administrative Body in such manner and at such times as the Board may direct the levy payable under clause 52(1) and the gross wages due to daily workers.

(ii) A registered employer shall make payment as contributions to the Dock Workers Welfare Fund under clause 54

(6) A registered employer shall keep such record as the Board may require, and shall produce to the Board or to such persons as may be designated by the Board upon reasonable notice all such records and any other document of any kind relating to registered dock workers and to the work upon which they have been employed and furnish such information relating thereto, as may be set out in any notice or directions issued by or on behalf of the Board.

39. Restriction on employment.—(1) No person other than a registered employer shall employ any worker on dock work nor shall a registered employer engage subject to the relaxation given in clause 18(2), for employment or employ a worker on dock work unless that worker is a registered dock worker.

(2) Notwithstanding the foregoing provisions of this clause:—

(a) Where the Administrative Body is satisfied that:—

(i) dock work is emergently required to be done; and

(ii) it is not reasonably practicable to obtain a registered dock worker for that work, the Administrative Body may, subject to any limitations imposed by the Board, allocate to a registered employer a person who is not a registered dock worker. In selecting such workers the local Employment Exchange organisation shall, as far as possible, be consulted:—

Provided that whenever unregistered workers have to be employed the Administrative Body shall obtain, if possible, the prior approval of the Chairman to the employment of such workers, and where this is not possible shall report to the Chairman within 24 hours the full circumstances under which such workers were employed and the Chairman shall duly inform the Board of such employment at its next meeting;

(b) In the case referred to in item (a) the person so employed as aforesaid by a registered employer shall, for the purposes of clause 38(4), (5) and (6) and clauses 41 and 42, be treated in respect of that dock work as if he were a daily worker.

(3) A registered worker in the reserve pool may, provided he fulfils fully his obligations under clause 37, take up occasional employment under employers other than those registered under the Scheme on those days on which he is not allocated for work by the Administrative Body.

40. Circumstances in which the Scheme ceases to apply.—(1) The Scheme shall cease to apply to a registered dock worker when his name has been removed from the register or record in accordance with the provisions of the Scheme.

(2) The Scheme shall cease to apply to a registered employer when his name has been removed from the employers' register in accordance with the provisions of the Scheme.

(3) Nothing in this clause shall affect any obligations incurred or right accrued during any time when the person was a registered dock worker or a registered employer.

41. Wages, allowances and other conditions of service of certain classes of workers.—Unless otherwise specifically provided for in the Scheme, it shall be an implied condition of the contract between a registered dock worker (whether in the reserve pool or on the monthly register) not being a worker to whom the provisions of clause 42 apply, and a registered employer that—

(a) the rates of wages, allowances and overtime, hours of work, rest interval, holidays and pay in respect thereof and other conditions of service shall be such as may be prescribed by the Board for each category of workers; and

(b) the fixation of wage periods, time for payment of wages and deductions from wages shall be in accordance with the provisions of the Payment of Wages Act, 1936.

42. Wages, allowances and other conditions of service of Winchman, Tindal and Stevedore Mazdoor.—(1) Unless otherwise specifically provided for in the Scheme, it shall be an implied condition of the contract between a registered dock worker in the categories of Winchman, Tindal and Stevedore Mazdoor, (whether in the reserve pool or on the monthly register) and a registered employer that the rates of wages, allowances and overtime, hours of work, rest intervals, holidays and pay in respect thereof and other conditions of service shall be such as may be prescribed by the Board for each category of workers subject to the provisions of sub-clauses (2) (3), (4), (5), (6) and (7).

(2) The Board shall appoint a Committee consisting of representatives of registered employers, Shipping Companies, workers and the Port Authority and a nominee of the Central Government to determine the norms for output in respect of cargoes of different kinds, and/or Zones. Should the Committee, not be able to prescribe agreed norms within a period of two months of having been asked to do so, the Chairman of the Board may determine such norms and submit them to the Central Government for approval. These norms shall be adopted as standard output required of workers. The same procedure shall be followed if and when a revision of the norms is considered necessary by the Board.

(3) The Board shall by regulations relate the wages earned to the actual output of workers. The regulations shall be submitted to the Central Government for approval before implementation.

(4) The regulations framed under sub-clause (3) shall *inter alia* provide for the following:—

(i) A worker shall be entitled to the normal wage prescribed by the Board if he with the other members of his gang produces the standard output.

(ii) If the actual output of a gang is more or less than the standard output, the normal wage shall be enhanced or reduced in such proportion as may be determined by the Board:—

Provided that the earnings of a worker shall in no case be lower than a guaranteed daily wage to be fixed by the Board from time to time subject to the condition that it shall not be less than 3/5th of the normal wage.

(iii) A worker will be entitled to a time-rate wage, to be prescribed by the Board, for any period or periods for which loading and unloading may be held up for reasons beyond the worker's control, such as inclement weather, non-availability of cargo etc.

(iv) Notwithstanding the provisions of item (ii) a worker or a gang of workers who fails to produce the standard output in more than 50 per cent of the shifts worked during a month shall be liable to disciplinary action for inefficiency.

(5) Should the Board fail to devise suitable regulations under sub-clause (3) the Central Government may direct the Board that a piece-rate scheme approved by the Central Government should be adopted and the Board shall be bound to carry out the directions so given.

(6) A worker on the monthly register shall draw wages on a calculated daily time-rate basis for the days for which he is entitled to payment but is not allotted any work.

(7) The Board may, if necessary, enforce the provisions of sub-clauses (1) to (6) of this clause in such stages as may be approved by the Central Government.

(8) The fixation of wage periods, time for payment of wages and deductions from wages shall be in accordance with the provisions of the Payment of Wages Act, 1936.

(9) Notwithstanding the provisions contained in sub-clauses (1) to (7) above, the Central Government may, if it so decides, set up such other body as it may deem fit for determining any or all of the matters referred to in the said sub-clauses and the decision of the Central Government on the recommendations of the said body shall be final and binding.

(10) The workers to whom this clause applies shall be governed by the provisions of clause 41 so long as—

- (i) regulations have not been framed under sub-clause (3) and enforced, or
- (ii) the Central Government has not issued a direction to the Board under sub-clause (5), or
- (iii) the Central Government does not give any decision on the recommendations of the body under sub-clause (9).

43. Pay in respect of unemployment and under-employment.—(1) Subject to the conditions set out in this and the next following clause, when, in any wage period, a registered dock worker in the reserve pool is available for work but is not given employment or full employment, he shall be entitled to receive from the Board such amounts as may be admissible to him under clauses 31, 32 and 34.

(2) The conditions subject to which a registered dock worker is entitled to the said payment (if any) from the Board are that:—

- (a) he attended as directed at the call stands or control points, and
- (b) his attendance was recorded.

44. Disentitlement to payment.—(1) A registered dock worker who while in the reserve pool fails without adequate cause to comply with the provisions of clause 37(4)(a) or (b), or fails to comply with any lawful order given to him by or on behalf of the Board, may be proceeded with in accordance with Sub-clause (3).

(2) A registered dock worker in the reserve pool who, while in employment to which he has been allocated by the Administrative Body, fails without any adequate cause to comply with the provisions of clause 37(5) or fails to comply with any lawful orders given to him by his employer, may have his engagement terminated and may be returned to the reserve pool and, whether or not he is so returned, may be reported in writing to the Labour Officer. When a registered dock worker is so returned to the reserve pool, the Administrative Body shall endorse his Attendance and Wage cards accordingly.

(3) The Labour Officer shall consider any matter arising under sub-clause (1) or (2), and if, after investigating the matter, he notifies the registered dock worker that he is satisfied that the registered dock worker has failed to comply

with a lawful order as aforesaid the registered dock worker shall not be entitled to any payment, or to such part of any payment under clause 43 as the Labour Officer thinks fit in respect of the wage period in which such failure occurred or continues.

45. Disciplinary procedure.—(1) (i) The Personnel Officer on receipt of the information whether on a complaint or otherwise, that a registered employer has failed to carry out the provisions of the Scheme may after investigating the matter, give him a warning in writing, or

(ii) where in his opinion, a higher penalty is merited, he shall report the case to the Executive Officer, who may then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer that is to say, he may:—

(a) censure him and record the censure in his record sheet, or

(b) subject to the approval of the Board and after one month's notice in writing given to the registered employer, inform the Administrative Body that the name of the employer shall be removed from the employers' register for such period as determined by the Board, or permanently in case of a grave offence.

(2) A registered dock workers in the reserve pool, who fails to comply with any of the provisions of the Scheme, or commits any act of indiscipline or misconduct, may be reported in writing to the Labour Officer who may after investigating the matter take any of the following steps as regards that worker, that is to say, he may

(a) determine that, for such period as he thinks proper, that worker shall not be entitled to any payment or part payment under clause 43,

(b) give him a warning in writing or

(c) suspend him without pay for a period not exceeding three days.

(3) (a) Where in a case reported to the Labour Officer under sub-clause (2) he is of opinion that the act of indiscipline or misconduct is so serious that the worker should not be allowed to work any longer the Labour Officer may, pending investigation of the matter, suspend the worker and report immediately to the Executive Officer, who after preliminary investigation of the matter shall pass orders thereon whether the worker, pending final orders, should remain suspended or not;

(b) where a worker has been suspended by an order under item (a) he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases, grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(c) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(d) where a worker is found not guilty he shall be entitled to such payments as the Administrative Body certifies that the worker would have received on the time rate basis or under clause 32 had he not been suspended provided that the amounts so payable shall be reduced by the amount of subsistence allowance payable or already paid during a particular period.

(4) Where, in the opinion of the Labour Officer, a higher punishment than that provided in sub-clause (2) and (3) is merited, he shall report the case to the Executive Officer.

(5) On receipt of the written report from the Labour Officer under sub-clause (4) or from the employers or any other person that a registered dock worker in reserve pool has failed to comply with any of the provisions of the Scheme or has committed an act of indiscipline or misconduct, or has consistently failed to produce the standard output or has been inefficient in any other manner, the Executive Officer may make or cause to be made such further investigation as he may deem fit, and thereafter take any of the following steps, as regards the worker concerned, that is to say he may impose any of the following penalties:—

(a) determine that, for such period as he thinks proper, the worker shall not be entitled to any payment or part payment under clause 43;

- (b) give him a warning in writing;
- (c) suspend him without pay for a period not exceeding three months;
- (d) terminate his services after giving 14 days' notice or 14 days' wages inclusive of dearness allowance in lieu thereof; or
- (e) dismiss him.

(6) Before any action is taken under this clause the person concerned shall be given an opportunity to show cause why the proposed action should not be taken against him.

(7) The Administrative Body shall be informed simultaneously about the action taken under this clause.

(8) Notwithstanding anything contained in clauses 44 and 45, the powers vested in the authority specified in column (1) of the Table below under the provisions specified in column (2) of the said Table, shall also be exercisable by the authority specified in the corresponding entry in column (3) in such cases as the last named authority may specify in writing in this behalf:—

TABLE

Authority empowered to take action	Power given under	Authority empowered to take action in specified cases
1	2	3
1. Labour Officer	Clauses 44 and 45	Administrative Body
2. Personnel Officer	Clause 45	Executive Officer or Chairman
3. Executive Officer	Clause 45	Chairman

46. **Special Disciplinary powers of the Chairman of the Board.**—(1) Notwithstanding anything contained in the Scheme, if the Chairman is satisfied that a 'go-slow' has been resorted to by any gang of registered dock workers or by any such individual worker and is being continued or repeated by the same gang or worker or different gangs or workers on the same or different ships, he may make a declaration in writing to that effect:

(2) When a declaration under sub-clause (1) has been made, it shall be lawful for the Chairman—

- (i) in the case of monthly workers, to take without prejudice to the rights of the registered employers, such disciplinary action including dismissal against such workers, as he may consider appropriate; and
- (ii) in the case of registered dock workers in the reserve pool, to take such disciplinary action including dismissal against such workers as he may consider appropriate and also to order forfeiture of their guaranteed minimum wages and attendance allowance for the wage period or periods in which the 'go-slow' has been resorted to.

(3) The Chairman may take disciplinary action—

- (i) where the 'go-slow' is resorted to by a gang, against all the members of the gang; and
- (ii) where the 'go slow' is resorted to by a worker, against the worker concerned.

(4) Before any disciplinary action is taken under this clause against any worker or any gang of workers, such worker or gang shall be given an opportunity to show cause why the proposed action should not be taken against him or it:

Provided that the Chairman may, before giving an opportunity to show cause under this sub-clause, suspend from work any worker or gang of workers immediately after a declaration has been made under sub-clause (1).

(5) A declaration by the Chairman of the Board that a 'go-slow' has been resorted to by a worker or a gang of workers shall be final and shall not be liable to be questioned on any ground or in any manner whatsoever.

47. Termination of Employment.—(1) The employment of a registered dock worker in the reserve pool shall not be terminated except in accordance with the provisions of the Scheme.

(2) A registered dock worker in the reserve pool shall not leave his employment with the Board except by giving fourteen days' notice in writing to the Board or forfeiting fourteen days' wages inclusive of dearness allowance in lieu thereof.

(3) When the employment of a registered dock worker with the Board, has been terminated under sub-clause (1) or (2) above, his name shall forthwith be removed from the register or record by the Administrative Body.

48. Appeal by workers.—(1) Save as otherwise provided in this clause, a worker in the reserve pool who is aggrieved by an order passed by an authority specified in column (1) of the table below, under the provisions specified in column (2) of the said table, may prefer an appeal against such order to the authority specified in the corresponding entry in column (3) of the said table.

TABLE

Authority passing order	Order made under	Appellate Authority
1	2	3
Labour Officer	Clause 44 or 45	Executive Officer
Administrative Body	Clause 44 or 45	Executive Officer.
Executive Officer	Clause 45	Chairman
Chairman	Clause 45	Central Government

(2) A worker who is aggrieved by an order—

(i) placing him in a particular group in the register or record;

(ii) refusing registration under clause 18; or

(iii) requiring him under clause 37(4)(b) to undertake any work which is not of the same category to which he belongs;

may prefer any appeal to the Chairman.

(3) A dock worker who is aggrieved by an order under clause 19(4) may prefer an appeal to the Chairman.

(4) No appeal shall lie where due notice has been given of the removal of the name of a registered worker from the register or record in accordance with the instructions of the Board, if the ground of removal is that the registered dock worker falls within a class or description of dock workers whose names are to be removed from the register or record in order to reduce the size thereof:

Provided that an appeal shall lie to the Chairman where the registered dock worker alleges that he does not belong to the class or description of dock workers referred to in the instructions of the Board.

(5) Every appeal referred in sub-clause (1), (2), (3) or (4) shall be in writing and preferred within 14 days of the date of receipt of the order appealed against and the order passed on such appeal shall be final and conclusive:

Provided that the appellate authority may for reasons to be recorded admit an appeal preferred after the expiry of 14 days.

(6) An appellant shall not be entitled to be represented by a legal practitioner before the appellate authority but he shall be entitled to be represented by a representative of the registered trade union of which he is a member or by a registered dock worker.

49. Appeals by employers.—(1) (a) A registered employer who is aggrieved by an order of the Personnel Officer under clause 45(1)(i) may appeal to the Executive Officer, whose order shall be final and conclusive and there shall be no appeal against it.

(b) If a registered employer is aggrieved by an original order of the Executive Officer under clause 45(1), he may appeal to the Chairman. The order of the Chairman in respect of an appeal against an order under clause 45(1)(ii)(a) shall be final and conclusive and there shall be no appeal against it. In the case of an appeal against an order under clause 45(1)(ii)(b), the Chairman shall forthwith refer the matter to the Central Government. The Central Government shall make such order on the appeal as it think fit.

(2) A stevedore who has been refused registration under clause 15(1)(c) may appeal to the Central Government through the Chairman. The order of the Central Government shall be final and conclusive and there shall be no appeal against it.

(3) If a registered employer is aggrieved by any original order of the Chairman against him under clause 45, he may prefer an appeal to the Central Government. The Central Government shall make such order on the appeal as it thinks fit.

(4) Every appeal referred to in sub-clause (1), (2) and (3) shall be in writing and preferred within 14 days of the receipt of the order appealed against:

Provided that the appellate authority may for reasons to be recorded admit an appeal preferred after the expiry of 14 days.

(5) An appellant shall not be entitled to be represented by a legal practitioner before the appellate authority but he shall be entitled to be represented by a representative of the association of registered employers of which he is a member or by a registered employer.

50. Stay of order in case of certain appeals.—Where an appeal is lodged by a worker in accordance with the provisions of clause 48 against an order of termination of service on 14 days' notice or where an appeal is lodged by an employer in accordance with the provisions of clause 49 against an order removing his name from the employers' register under clause 45(1)(ii)(b), the appellate authority may suspend the operation of the order appealed from pending the hearing and disposal of the appeal.

51. Special provisions for action in an emergency.—(1) If at any time the Chairman is satisfied that an emergency has arisen which will seriously affect the working of the port, he may by order in writing and for such period as he may from time to time specify therein, make a declaration to that effect:

Provided that no such declaration shall be made except with the previous approval of the Central Government.

(2) So long as an order under sub-clause (1) is in force, the following provisions shall apply, namely:—

(i) If any allegation is made that a registered employer has failed to carry out the provisions of the Scheme, the Chairman may, after holding a summary inquiry into the allegation, take any of the following steps as regards that employer, that is to say, he may—

(a) give the registered employer a warning in writing, or

(b) direct that the name of the registered employer shall be removed forthwith from the employers' register either permanently or for such period as he may determine.

(ii) If any allegation of indiscipline, "go-slow" or misconduct is made against a registered dock worker, the Chairman may suspend him forthwith pending inquiry, hold a summary inquiry into the allegation and take any one or more of the following steps against that worker, that is to say, he may—

(a) determine that for such period as he thinks proper, that worker shall not be entitled to any payment under clause 43;

(b) give him a warning in writing;

(c) suspend him without pay for a period not exceeding three months;

(d) terminate his services after giving 14 days' notice or 14 days' wages inclusive of dearness allowance in lieu thereof; or

(e) dismiss him.

(3) The provisions of the Scheme relating to disciplinary action against registered employers and registered dock workers shall not apply to any order passed by the Chairman under sub-clause (2).

(4) No appeal shall lie from any order passed by the Chairman under sub-clause (2).

(5) Notwithstanding anything contained in the Scheme, so long as an order under sub-clause (1) is in force, the Chairman may authorise the employment of unregistered worker directly by registered employers and payment to such unregistered workers directly.

52. Cost of operating the Scheme.—(1) The cost of operating the Scheme shall be defrayed by payments made by registered employers to the Board. Every registered employer shall pay to the Board such amount by way of levy in respect of Reserve pool workers together with and at the same time as the payment of gross wages due from him under clause 38(5)(i) as the Board may from time to time, prescribe by a written notice to registered employers. If considered necessary, the Board may require any registered employer to pay such amount by way of levy in respect of monthly workers at such rate as it may determine.

(2) In determining what payments are to be made by registered employers under sub-clause (1), the Board may fix different rates of levy for different categories of work or workers, provided that the levy shall be so fixed that the same rate of levy will apply to all dock employers who are in like circumstances.

(3) The Board shall not sanction any levy exceeding fifty per cent of the estimated total wage bill calculated on the basis of the daily time rate wage without the prior approval of the Central Government.

(4) A registered employer shall on demand make a payment to the Board by way of deposit, or provide such other security for the due payment of the amount referred to in sub-clause (1), as the Board may consider necessary.

(5) The Administrative Body shall furnish from time to time to the Board such statistics and other information as may reasonably be required in connection with the operation and financing of the Scheme.

(6) If a registered employer, fails to make the payment due from him under sub-clause (1) within the time prescribed by the Administrative Body, the Administrative Body shall serve a notice on the employer to the effect that unless he pays his dues within three days from the date of receipt of the notice, the supply of registered dock workers to him shall be suspended. On the expiry of the notice period, the Administrative Body shall suspend the supply of registered dock workers to a defaulting employer until he pays his dues.

53. Provident Fund and Gratuity.—(1) The Board in respect of the workers in the reserve pool and the registered employers, in respect of their monthly workers, shall frame and operate rules providing for contributory provident fund. The rules shall provide for the rate of contribution from the workers and the employers the manner and method of payment and such other matters as may be considered necessary:

Provided that the rules applicable to monthly workers shall not be less favourable than those relating to workers in the reserve pool.

(2) The Board shall frame rules for payment of gratuity to registered workers.

(3) The rules for provident fund and gratuity framed by the Board shall be subject to the previous approval of the Central Government.

54. Dock Workers Welfare Fund.—Cost of amenities, welfare and health measures and recreation facilities for registered workers shall be met from a separate fund called Dock Workers Welfare Fund which shall be maintained by the Board. Contributions to this Fund shall be made by all registered employers at such rate as may be determined by the Board. The Board shall frame rules for contributions to, maintenance and operation of the Fund.

55. Penalties.—A contravention of clause 39 shall be punishable with imprisonment for a period not exceeding three months in respect of a first contravention or six months in respect of any subsequent contravention or with

fine not exceeding five hundred rupees in respect of a first contravention or one thousand rupees in respect of any subsequent contravention, or with both imprisonment and fine as aforesaid.

THE SCHEDULE

[See Clause 2(2)]

Classes or descriptions of dock work and dock workers, to which the Scheme applies

(1) Stevedoring work including handling of passenger baggage (other than cabin baggage) and mail stowed in the holds.

(2) The following categories of stevedore workers:—

(a) General Foreman (Serang).

(b) Tindal.

(c) Winchman.

(d) Stevedore Mazdoor.

P. D. GAIHA, Under Secy.

New Delhi, the 28th May 1959

S.O. 1311.—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of the notification of the Government of India, Ministry of Labour & Employment S.O. No. 1630 dated the 2nd August, 1958, the Central Government hereby appoints the officers mentioned in column 1 of the table below to be Inspectors for the purposes of the said Act within the local limits specified in column 2 of the said table with effect from the dates mentioned against each in column 3 thereof, and directs that the following amendments shall be made in the Government of India, Ministry of Labour Notification S.R.O. 743 dated the 26th February, 1957, namely:—

In the Schedule to the said notification.

(a) under "III Regional Labour Commissioner (Central), Bombay", after entry 2, the following shall be inserted, namely:—

"2A. Conciliation Officer (Central), Nagpur";

(b) for "VI Regional Labour Commissioner (Central) Nagpur", the following entry shall be substituted, namely:—

"VI Regional Labour Commissioner (Central), Jabalpur"; and

(c) under "VII Regional Labour Commissioner (Central), Kanpur", after entry 2, the following shall be inserted, namely:—

"2A. Conciliation Officer (Central), Ambala".

TABLE

Designation of the Officers	Territorial jurisdiction	Date
1. Conciliation Officer (Central), Nagpur	The State of Bombay	14th May, 1957
2. Conciliation Officer (Central), Ambala	The States of Uttar Pradesh and Punjab Union Territories of Himachal Pradesh and Delhi.	7th August, 1957

[No. LWI-I-3(6)/59.]

PYARE LAL GUPTA, Under Secy.

New Delhi, the 29th May 1959

S.O. 1312.—Whereas the Government of India in the Ministry of Labour & Employment, in their notification No. S.O. 2674, dated the 18th December, 1958, have amended rule 6(1) (iv) of the Coal Mines Labour Welfare Fund Rules, 1949, thereby raising the strength of non-official members of the Coal Mines Labour Housing Board from six to eight, the Central Government hereby appoints the following two persons as non-official members to the said Board, in addition to

those notified in the Government of India, Ministry of Labour & Employment, notification No. S.O. 2431, dated the 13th November 1958, namely:—

Shri B. R. Tooley;

Shri Bindeshari Dubey.

[No. MII-3(11)/59.]

New Delhi, the 2nd June 1959

S.O. 1313.—In exercise of the powers conferred by section 83 of the Mines Act, 1952 (35 of 1952), the Central Government hereby exempts the Karanpura Colliery owned by Messrs. Associated Karanpura Collieries Ltd., from the operation of sub-regulation (3) of regulation 130 of the Coal Mines Regulations, 1957, framed under section 57 of the said Act, up to 31st October, 1959.

[No. M-I-6(3)/59.]

P. N. SHARMA, Under Secy.

New Delhi, the 1st June 1959

S.O. 1314.—In exercise of the powers conferred by section 7A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with headquarters at Bombay and appoints Shri F. Jeejeebhoy as the presiding officer of that Tribunal.

[No. LR-I-1(86)/59.]

New Delhi, the 2nd June 1959

S.O. 1315.—In exercise of the powers conferred by section 14 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby make the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 153 dated the 9th January, 1959:—

In condition (1), for item (b), the following shall be substituted, namely:—

- “(b) (i) The contingent staff shall be paid at Rs. 20/- per month plus Rs. 45 per month as dearness allowance at Izatnagar Branch of the Institute;
- (ii) The contingent staff shall be paid at Rs. 23/- per month plus Rs. 45/- per month as dearness allowance and Rs. 3/- per month as compensatory allowance at Mukteswar Branch of the Institute;
- (iii) The casual labourers shall be paid at one rupee and fifty naye paise per day.”

[No. LRI-23(5)/59.]

A. L. HANDA, Under Secy.

New Delhi, the 2nd June 1959

S.O. 1316.—Whereas the Central Government is satisfied that the employees in the Training & Work Centre Arab-ki-Sarai, Nizamuddin, New Delhi, are otherwise in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts the Training & Work Centre Arab-ki-Sarai, Nizamuddin, New Delhi, from all the provisions of the said Act.

[No. F. HI-6(77)/58.]

BALWANT SINGH, Under Secy.

MINISTRY OF INFORMATION & BROADCASTING

New Delhi-2, the 27th May, 1959

S.O. 1317.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of Notification No. 3(37)/56-B(P)/B(A) dated the 6th December 1958 on the subject the President hereby makes the following rules regulating the method recruitment to the posts of Stenographer (Senior Scale) and Stenographer (Junior Scale), All India Radio namely:—

Short Title.—These rules may be called the Broadcasting Stations Offices, All India Radio Recruitment Rules, 1959.

Method of recruitment.—Recruitment to the posts of Stenographer (Senior Scale) and Stenographer (Junior Scale) shall be made in accordance with the provisions contained in the enclosed schedule.

Recruitment rules for the Posts of Stenographer (Senior Scale) and Stenographer

Name of post.	No. of posts.	Classification	Scale of Pay	Whether selection post or non-selection post	Age limit for direct recruits.
1	2	3	4	5	6
Steno-grapher (Senior Scale).	68	Class III (non-Gazetted) ministerial.	Rs. 160-10-330	50% by selection.	25 (Maximum age limit relaxable in the case of candidates belonging to Sch. Castes/Tribes, displaced persons and other Spl. categories in accordance with the orders issued by the Govt. of India from time to time).
Steno-grapher (Junior Scale)	108	Class III (non-Gazetted) ministerial.	Rs. 80-5-120-EB-8 200-10/2 220	..	25 years. (Maximum age limit relaxable in case of candidates belonging to Sch. Castes/Tribes, displaced persons and other Spl. categories in accordance with the orders issued by the Govt. of India from time to time.)

(Junior Scale) All India Radio Ministry of Information and Broadcasting.

Educational and other qualifications required	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees.	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer and percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer grades from which promotion to be made	Circumstances in which UPSC is to be consulted in making recruitment.
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7	8	9	10	11	12
Matriculation with speed of 120 words per minute in short-hand and 40 words per minute in typewriting essential.	No.	One year for direct recruits.	50% through Employment Exchange & 50% by selection. <i>Note</i> —No male candidate who has more than one wife living or no female candidate who has married a person having already a wife living shall be eligible for appointment; provided that the Govt. of India after being satisfied that there are specified grounds for doing so, except any such candidate from the operation of this rule.	By selection from amongst stenographers in the scale of Rs. 80-220 having service for a period of not less than one year on the result of a competitive test in stenography to be conducted at various Stations of AIR on All India basis.	The post is class III and consultation with UPSC not necessary.
Matriculation. Speed of 100 words per minute in short-hand and 30 words per minute in typewriting essential.	Does not arise.	One year	100% through Employment Exchange. <i>Note</i> —No male candidate who has more than one wife living, or no female candidate who has married a person having already a wife living shall be eligible for appointment provided that the Govt. of India after being satisfied that there are Spl. grounds for doing so, except any such candidate from the operation of this rule.		

New Delhi, the 29th May, 1959

S. O. 1318.—In pursuance of sub-rule (2) of rule 11 and clause (b) of sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the Schedule to the notification of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 618, dated the 28th February, 1957, namely:—

In Part I of the said Schedule under the heading "Publications Division", for "All posts" in column 1 and the entries relating thereto in columns 2 to 4, the following shall respectively be substituted, namely:—

1	2	3	4
"Posts on a scale of pay with a minimum of not less than Rs. 500/- p.m.	Secretary, Ministry of Information and Broadcasting.	Secretary, Ministry of Information and Broadcasting.	All
Other posts	Director, Publications Division.	Director, Publications Division.	All"

[No. (14/20/59-Pub).]

A. M. K. SWAMI, Under Secy.

New Delhi, the 1st June 1959

S.O. 1319.—In exercise of the powers conferred by section 6 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby directs that—

- (1) on and from the 16th June, 1959, the film "Shararat" (Revised) (Hindi) in respect of which a "U" Certificate No. 26717, dated the 15th January, 1959 has been granted to Roshni Films, Bombay, shall be deemed to be a film in respect of which an "A" Certificate has been granted, and
- (2) the sequences specified in the Schedule to this order shall be exercised from all copies of the film and the certificate granted in respect of the film shall be produced before the Board of Film Censors for necessary amendment thereof within fifteen days from the date of issue of this order, failing which action will be taken as permissible under the law.

SCHEDULE

- (i) Scenes where Chandan sings songs through the window and the ventilators in Shabnam's house but permitting only a small footage for purpose of continuity;
- (ii) Scenes in which Chandan becomes a nuisance to Shabnam in her house after the departure in car of her father for the Post Office, following the visit of Chandan to her house in the guise of a Postal Peon;
- (iii) Scenes relating to Chandan's disguising as a widow leading a deputation of other widows.
- (iv) Scenes showing Chandan's pyre being carried and later burnt;
- (v) Scenes in which Shabnam's husband throws himself in her lap.

[No. 9/6/59-FC.]

D. R. KHANNA, Under Secy.

New Delhi, the 2nd June 1959

S.O. 1320.—In exercise of the powers conferred by Section 6 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby directs that the film entitled "Fashion" (Revised) (Hindi) produced by Kuldip Sehgal, Bombay, in respect of which 'U' certificate No. 22781 dated the 30th December, 1957 has been granted shall be deemed to be a film in respect of which an 'A' certificate has been granted.

[No. 9/6/58-FC.]

B. S. DASARATHY, Dy. Secy.

